

**History and Administration  
of  
the Province of Banaras  
(1776 A.D.—1800 A.D.)**

**A THESIS  
SUBMITTED TO THE UNIVERSITY OF ALLAHABAD  
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**BY  
KASHI PRASAD SRIVASTAVA**

**DEPARTMENT OF MEDIEVAL  
AND MODERN HISTORY  
UNIVERSITY OF ALLAHABAD**

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## I\_N\_T\_R\_O\_D\_U\_C\_T\_I\_O\_N

This work is a study of the "History and Administration of the Province of Banaras from 1776 to 1800 A.D." Though the scope of my work is limited yet stress has been laid upto 1810 in order to maintain the continuity. The relationship of the 'Banaras Raj' with the East India Company forms a good subject of historical research. Most of the important events in the eventful career of Warren Hastings took place at Banaras. He was surrounded by difficulties and distractions. Momentous issues and alarming situation had arisen at the insurrection of Banaras where Hastings found himself plunged in a decided war against Chait Singh. Chait Singh deserves the credit of being the first patriotic Raja to throw a bold and open challenge to the English and to launch a strong campaign to drive them out from the soil of Banaras. But his hopes were shattered due to the loss of his brave followers and poor response which he received from the neighbouring Rajas and Chiefs on whom he had depended.

Land revenue system and administration of justice had long been neglected. In consequence, the cultivation had suffered immensely and many of the large and good parganas had been laid waste; trade was burdened with multiplicity of duties and illegal exactions; all that was dear to the peasants-life, property and family-depended on mere whim and fancy of the galla or some Ghatty officials

of the Raja under an oppressive system of revenue and customs farming. Lord Cornwallis laid the foundation of the present structure of order, peace and security through Jonathan Duncan, one of his trusted officers posted as the Resident at Banaras. He also took effective measures to improve the manifold and varied aspects of administration, to promote the cultural activities and curb deeply rooted social evils.

The sources for the history of the province from the commencement of its relations with the East India Company are copious and diverse. I have depended on the following types of sources:

- 1) Contemporary works in Persian and Urdu.
- 2) Original records both published and unpublished.
- 3) Memoirs, Narratives, Traveller's accounts, Journals, Reports, Gazetteers, etc.
- 4) Selections of Records from the Peshwa Daftar, Mahadaji Sindhia Hayanchan Kagad Patren, Poona Akhbar, etc.
- 5) Contemporary literature in Sanskrit and Hindi.

Contemporary works in Persian and Urdu like Balwant-namah alias Tohfa-i-Tazeh, Jannurnamah, Hadiyat-ul-Accalim, Tarikh-i-Banaras and Tawarikh-i-Ishwari contain a detailed history of the Rajas of Banaras and are full of interesting information referring to the times and transactions of Warren Hastings. Muntakhab-ut-Tawarikh, Ghahar Gulshan,

Sivay-ul-Mutakherin and Yadgar-i-Bahaduri are unique sources of information and have been invariably used in this work.

The Residency records of Banaras now preserved in the State Archives, Allahabad, have brought some new facts to light. Although some of these records were published in the form of selections, yet they have been used here in a more systematic way. The importance of the original records relating to the history and administration of the province preserved in National Archives of India, New Delhi, the State Archives of U.P., Allahabad and the record room of Maharaja of Banaras at Ramnagar can not be over emphasized. The records of the Banaras Division (1775-1810) and the districts of Banaras, Mirzapur, Ghazipur and Jaunpur have been thoroughly scrutinized by me. The judicial records of Mirzapur Collectorate and the Residency records of the Banaras Division are sufficiently voluminous to form the basis of the judicial and revenue administration of the province from 1795 to 1810. Hastings' Narrative and Oldham's Memoirs are source material for the history of the province of Banaras, Poona Residency Correspondence, Poona Akhbar, Mahadaji Sinde Hyanchin Kagad Patren, Persian Records of Maratha History and Selections from Peshwa Daftar, etc. form another valuable source of information for reconstructing the history of Raja Balwant Singh and Chait Singh and their relationship with the East India Company.

Contemporary literature in Sanskrit and Hindi throws light on this subject. Shanker's Chetovilas and Balbhadra's Chet Singh Vilas in Sanskrit are treatises on the history of Chait Singh; while Bandijen's Chet Chandrika in Hindi describes the heroic deeds of the Rajas of Banaras and furnishes a genealogical table of the Banaras Raj from Kithoo Misra to Chait Singh. The above sources have brought many important facts to light which had so far been unknown.

In the first chapter I have traced the history of the province from early times to the reign of Raja Balwant Singh. The second chapter contains a detailed account of Raja Chait Singh, in which main emphasis is on such questions as whether Chait Singh was a Raja or a Zamindar? Whether he was rebellious against the British? Whether Warren Hastings was justified in levying high taxes on him? The above contention is based on a careful study of contemporary Persian, English, Sanskrit and Marathi sources. In the third chapter I have given an account of Raja Mahip Narayan Singh, Udit Narayan Singh and crown Prince Jahandar Shah and his family. The 'Massacre of Banaras' by Wasir Ali Khan has been described in detail. In the fourth chapter an attempt has been made to explain the revenue administration and in it attention has been focussed on land settlement, regulations, management, revenue assessment, collections and revenue courts. In the fifth chapter I have described in detail the set up of Judiciary, police and jails. In the sixth chapter I have dealt with the development



of trade and industries and the tariff policy. In the seventh chapter I endeavoured to give a vivid picture of the educational developments, cultural activities and social life of the people.

The photographs of Chait Singh and of the city of Baharas have been obtained by me from the India Office Library, London, through the generosity of Mr. S.C. Sutton Librarian, who deserves my sincere thanks for it.

The blue print of a map attached to this work has been prepared by me after studying the map in Plasted's Journal, the sheets of Rennell's Bengal Atlas, the survey maps and the maps in the district Gazetteers. The other map has been copied by me from J. Rennell's "Memoir of a Map of Hindustan" printed in 1788. I have taken care as far as possible regarding the correctness of the topograph of cities, towns, and rivers mentioned in this work.

This thesis has been written under the guidance of Prof. O.P. Bhatnagar, Head of the Medieval and Modern History Department, University of Allahabad, who, with great zeal and love guided me in my work from day to day and his unfailing encouragement has always been a source of inspiration to me in this work. I am much indebted to him.

I am also indebted to Dr. G.N. Salletore, Keeper of Archives, U.P., Allahabad, who not only loaned me the use of some of his rare books, but also helped by indicating

some of the Marathi sources and translating the same for me. I am also grateful to the staff of the National Archives of India, New Delhi and the State Archives of U.P., Allahabad for facilities they gave me in studying their records.

My grateful acknowledgement is also <sup>due</sup> to H.H. Sri Bibhuti Narayan Singh, present Maharaja of Banaras, who had very kindly allowed me to consult his archives and indicated me some of the sources which have not been brought to light so far.

I also sincerely thank the staff of the National Library, Calcutta, State Central Library, Allahabad and the Public Library, Allahabad, for their kind assistance and cooperation.

I shall be failing in my duty if I don't thank Mr. G.R. Maini who has typed out the entire thesis so nicely and in a very short time.

Kashi Prasad Srivastava

Allahabad  
the 30th October, 1963.

(Kashi Prasad Srivastava)

## A\_b\_b\_r\_e\_v\_i\_a\_t\_i\_o\_n

|   |   |  |
|---|---|--|
| A.G.G.                                    | : | Correspondence of the Agent to the Governor General at Banaras.  |
| Aitchison                                 | : | A Collection of Treaties, Engagements and Sanads.  |
| Balwant                                   | : | Balwantnamah alias Tohfa-i-Tazah.  |
| B.C.                                      | : | Banaras Commissioner's Correspondence.   |
| B.R.C.                                    | : | Banaras Residency Correspondence.  |
| Ben.Pol.Cons.                             | : | Bengal Political Consultations.  |
| Ben.Sec.Cons.                             | : | Bengal Secret Consultations.   |
| Ben.Sel.Com.                              | : | Bengal Select Committee.   |
| B.V.B.                                    | : | Bharatiya Vidya Bhawan.  |
| <del>HOUSE</del><br>Commons<br>Committee. | : | Report from Committee of the House of Commons, vol. V., East India Company (1781-1782).                          |
| C.P.C.                                    | : | Calendar of Persian Correspondence.  |
| Elliot                                    | : | Elliot and Dowson. The History of India As told by its Historians.   |
| Fifth Report                              | : | The Fifth Report from the Select Committee of the House of Commons on the Affairs of the East India Company.     |
| Forrest                                   | : | Selections from Letters, Despatches and other State Papers in the Foreign Department of the Government of India. |
| Hadiqat                                   | : | Hadiqat-ul-Aqalim.   |
| Hastings                                  | : | A Narrative of Insurrection which happened in the Zemedyary of Benares.  |
| History of Trial                          | : | History of the trial of Warren Hastings.   |
| Home. Pub.                                | : | Home Public Consultations.   |
| I.H.R.C.                                  | : | Proceedings of the Indian Historical Records Commission.   |



|                     |    |   |
|---------------------|----|---|
| Ishwari             | :  | Tawarikh-i-Ishwari.   |
| J.A.S.B.            | :  | Journal of Asiatic Society of Bengal.                                       |
| K.R.V.              | :  | Kashi Raj Vidyamandir Trust.  |
| M.S.K.              | :  | Mahadaji Sinde Hyanchi Kagad Patren.  |
| Minutes of Evidence | :  | Minutes of Evidence taken before a committee of the Whole House of Commons. |
| Mbh.                | :  | Mahabharata.  |
| Oldham              | :  | Historical and Statistical Memoir of the Ghazipur District.                 |
| P.A.                | :  | Poona Akhbar.   |
| P.R.M.H.            | :  | Persian Records of Maratha History.   |
| P.R.C.              | Bo | Poona Residency Correspondence.   |
| Ram.                | :  | Ramayan   |
| Sec. Sel. Com.      | :  | Secret Select Committee.  |
| SAUP                | :  | State Archives of Uttar Pradesh.  |
| Siyar               | :  | Siyar-ul-Mutakherin.  |
| Yadgar              | :  | Yadgar-i-Bahaduri.  |

## CHAPTER - I

### EARLY HISTORY OF BANARAS

There can hardly be any doubt about the antiquity of Banaras. The name Vārāṇasī or Barāṇasī is derived from the name of two streams which bound the city to the north and the south namely Barunā and Asi. From the names of these two streams, Brahmanas derive Varāṇasī which is said to be the Sanskrit form of the name of Banāras.<sup>1</sup> Expressing the same idea a statement occurs in "Kāśī Mahātmya, a section of the Padma Purāṇa.<sup>2</sup> There is a statement to this very effect in

1. Vāman Purāṇa, ch. III; Vishnu says to Hameshwar thus:

योऽसौ ब्रह्माण्डके पुण्ये पदं प्रपन्नो जयः ।  
प्रयागे वसते नित्यं योगशायीति किमुतः ॥  
वरणादशिप्राक्षस्य विनिर्दिता सरिद्धरा ।  
किमुता वरणीत्येव सर्वं पापं हरा शुभा ॥  
सव्यादन्या द्वितीया च वसिरित्येव किमुता ।  
ते उभे च सरिच्छिष्टे लोकेषु न भवतुः ॥  
तयोर्मध्ये तु यो देशस्ततः पूर्वं योगशायिनीः ।  
श्रीलोक्यं पूर्वं तीर्थं सर्वपापनिर्वाहकम् ॥  
न तादृशं हि गगनं न मथ्या न रसातलं ।  
तत्रास्ति नारी पुण्या त्याता वारानसीशुभा ॥

There is a river named Barunā, rising from the south of the city of Prayāg, which is very sacred and immunes persons from miseries and sins. There is another stream known as Assi. The land lying between these two streams, being most sacred place in the world, is frequented by the devotees and sages. No other land is parallel to it in the whole universe. It is this land where the sacred and famous city of Varanasi exists with its marvellous splendour and grandeur.

2. Padma Purāṇa, Kāśī Mahātmya, v.58.

वशिष्ठाक्षर दिग्भागे कत्वासिं वरणां सुराः ।  
दीप्तस्य मोक्षं निक्षिप रसातलवृत्तिनाम्नुः ॥

(The illustrious city of Vārāṇasī is bound on the north by the Baruna and on the south by the Assi).

the Skand Purāṇa<sup>1</sup> also.

According to the Jātakas, the city extended twelve<sup>2</sup> Yojanas and the extent of the kingdom of Kāśī<sup>3</sup> is given as three hundred leagues. Rhys Davids believes that the city proper included the land between the Baruna and a stream called the Asi, as its name suggests. He further remarks that the city might have included the suburbs at the time when it was the capital of an independent kingdom and thus<sup>4</sup> extended twelve leagues, or about eighty five miles.

The political history of Kāśī<sup>5</sup> seems to have commenced from the time of the Satapatha Brāhmaṇa which mentions Satānīka, son of Satrājita, who took the horse of King Kāśya of Kāśī, and performed the Govinata Yajña. Afterwards the king of Kāśī performed the Yajña. The Upanishads speak of Ajātasatru, another king of Kāśī.<sup>6</sup>

In the period of Epic Rāmāyana, the kingdom of Kāśī came into much prominence. Vasiṣṭha counts the king of Bārānasi among the pious kings and asks Sumantra to invite

1. Skand Purāṇa, Kāśī Khanda, XXX, 20, 21:

यज्ञिगोत्र दिग्भागे कत्वासि वरुणं वराः ।

ऐत्य मोक्षं निवृत्तिं निवृत्तिमायुः ॥

(The gods created the rivers Varna (Barna) and Assi on the north and south (of the city) which is a land well defended and removes all miseries).

2. Majjhima Nikaya Commentary, II, p. 608; Jataka, VI, p. 160; IV, p. 377.

3. Jataka, V, p. 41; III, p. 304, 391.

4. Rhys Davids, Buddhist India, p. 18.

5. Satapatha Br., XIII, 5.4.19.

6. Kausitaki Up., IV-1; Satapatha Br., II, 101.

then.<sup>1</sup> The Epic also mentions Purūrava<sup>2</sup> as the king of Kāśī.

The Mahābhārat mentions Hariyasva, grand-father of Divodāsa, as the king of Banāras, who was assassinated by the relations of king Vītahavya in a battle fought on the land between the Ganges and Yamuna. Sudeva, his son, was installed on the throne of Kāśī who also met similar fate. His son Divodāsa became the successor of the Kāśī throne who is said to have founded the city of Banāras. In the Mahābhārata, Divodāsa, king of Kāśī, is mentioned as the son of Bhimsena and his son, Pratardana, was born from Mādhavī, daughter of Jayatī.<sup>3</sup> In the Sabhāparava of the Mahābhārat, we are told that before the commencement of the Rājasūya ceremony, Bhīma<sup>4</sup> had conquered Subahu who was the king of Kāśī at that time. It seems that at the time of great Kurukshetra war, the king of Kasi turned to be a friend and supporter of Yudhisthira and took the side of Pandavas in the war.<sup>5</sup> Kāśī, as a kingdom, is also mentioned in the Puranas which contain much interesting information about the Kāśī kings. The Vāyu Purāṇa mentions a king named Kasa, the son of Dharmavridha of the Nahusa family.<sup>6</sup> According to Harivamsa, a king of Kāśī named Saunihotra whose son was Dhanvantari, who later became the king of Banāras.

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1. Ram., Ādikāṇḍa, 13th Svarga.

2. Ram., Uttarkāṇḍ, 56th ch., sl.25.

3. Mbh., XIII, 117.

4. Mbh., V, 30.

5. Ibid., 72.

6. Vāyu Purāṇa, ch.92.

Harivamsa Purana also mentions that Divodās was the great grand-son of Dhanvantari. He was a famous king of Banāras, in whose time the city was deserted owing to the curse of Mahatma Mikhumbh. So Divodas left Banaras and founded his kingdom on the banks of the river Gomati. Banaras was subsequently occupied by a rākshas (demon) named Kshemak. At the expiry of the curse Mahabāhu killed Kshemak and occupied the beautiful city of Banāras.<sup>1</sup> This fact is also corroborated by the Brahma Purana.<sup>2</sup>

In the Vishnu Purana, Krishna is said to have burnt the city of Banaras.<sup>3</sup> The other Purāṇas give the names of several other rulers of the dynasty, but without mentioning any particular incident or achievement of these. This dynasty came to an end about 12 or 15 generations before the Bharat War.

Banaras figured as an important place in the Jain Literature. The first Jain Tirthankar Pārśvanāth was born at Banaras in about 817 B.C. He belonged to the royal family, as his father Asvasena was the King of Banāras. Pārśvanāth

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1. Harivamsa, Ch.31, sl.70:

राजसूयान्ते महाबाहुर्वा जेमराक्षसम् ।

रम्यां निवेशयामास पुरीं वाराणसीं पुनः ॥

(After the expiry of the curse Mahabahu, having killed the demon named Kshemak, occupied the beautiful city of Banaras).

2. Brahma Purana, ch.13, sl.75:

रम्यां निवेशयामास पुरीं वाराणसीं पुनः ।

वत्सर्गस्य तुवायाहः जेमलो नाम पाण्डि ॥

3. Vishnu Purana, ch.34, sl.5.



is also said to have obtained Kevala Jñana on the 84th day seated under a certain tree near Banaras. Besides Banaras had close connection with the last Tīrthankar, Mahāvira and his disciples. At the death of Mahāvira, the king of Kāśī is said to have ordered illumination on the Pūshada, which was a fasting day; for he said, "When the light of intelligence is gone, let us make an illumination of material matter"<sup>1</sup>.

Just before the rise of Buddhism, in the sixth century B.C., Kāśī rose into prominence and came to be recognized as a very strong power and included in the list of "Sodasa-Mahajanpada". Anand, the favourite disciple of the Buddha, had suggested and named Kāśī Bārānasi as a suitable place for the Parinibbāna of the Buddha.<sup>2</sup> This mighty power collapsed against the rising power of Kosala and then finally became an integral part of the Barhadrath Dynasty of Magadh in the 6th and 5th centuries B.C.

Bimbsara's first wife was a sister of Prasenajit, the King of Kosala, who gave him in dowry a village in Kāśī with a large revenue.<sup>3</sup> His son, Ajatasatru, added largely to the extent of the kingdom by his conquests. He started war with Kosala. Its king Prasenjit could not brook the inhumanity of

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1. Jain Sutras, I, p.266.

2. Dīgha Nikāya, II, p.146.

3. Sanyukta Nikāya, I, p.82-85.

Ajātsatru who had killed his father, and indirectly also the Princess of Kosala, who could not stand the death of her husband and died of grief. King Prasenjit thereupon revoked his gift of the Kāśī village, which was granted to Binbisara as a dowry on his marriage with the Princess of Kosala. In the end peace was concluded and the village of Kāśī was<sup>1</sup> restored to him.

Sisunaga is the next in the Buddhist list. He made Girivraja his abode and posted his son in charge of Banaras. The Buddhist tradition dates from the hostility of Avanti to Magadha and from the time of Ajātasatru Kāśī was counted<sup>2</sup> as a province of Magadha.

The sphere of influence of the Nandas, who succeeded the Sisunagas, extended right up to the Punjab. Banaras, therefore, formed an integral part of their empire. With the rise of the Mauryas it passed under their control. It received special attention of the imperial power under Ashoka. Sarnath, on the outskirts of Banaras, was the place, where Buddha had commenced his ministry. Ashoka, therefore, built a Stupa and erected a pillar there having three lions of exquisite beauty.

The Shungas, who succeeded the Mauryas, were undoubtedly ruling over Banaras. Similar was the case with the

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1. Samyutta Nikaya, I, pp.84-86; Jataka, IV, 342; Dhammapad Commentary, III, 259.

2. Majjhima Nikaya, III, p.7.

Kanvas. The Kushanas, under the leadership of Kanishka, smashed Yaudheyas and succeeded in penetrating right upto Banaras, if not beyond.<sup>1</sup> Kushana empire was at the zenith of its power extending upto Banaras at the end of second century A.D. Banaras was included in the Gupta Empire (375-535 A.D.). By the middle of the 6th century it passed under the rule of the Maukharis of Kanauj. In the first half of the 7th century A.D. it was included in the dominion of Harsh.

The history of Banaras during the interval between the overthrow of Yashovarman (C. 735 A.D.) and the rise of Dharmpal of Bengal (C 760 A.D.) is obscure. King Dharmapala seems to have annexed Banaras soon after his accession in about 770 A.D. and continued to hold it till the end of his reign.<sup>2</sup>

The Pala's rule over Banaras did not last long. The Pratiharas were, however, able to establish a mighty empire over the greater portion of the Northern India by the middle of the 9th century A.D. It extended from Banaras in the east to Gwalier in the west during 9th and 10th centuries.<sup>3</sup>

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1. R.C. Majumdar and A.S. Altaker, A New History of the Indian People, vol. VI, p.28.
  2. Bharatiya Vidya Bhawan, The History and Culture of the Indian People, vol. IV, pp.4-5, 22-23, 45-46.
  3. B.N. Puri, The History of the Gurjara Pratiharas, p.92.



During the reign of Gangeyadeva (C 1015-1041 A.D.) Banaras passed under the rule of the Chedis of Tripuri.

The prosperity of Banaras, however, began to decline and came to an end soon. King Jaychanda, who was ruling over Kanauj and Banaras at the time of the invasion of Mahmud of Ghor, was unable to drive back the invader. A battle took place on the bank of the Yamuna, north of Etawah and Kanauj which was conquered in 1193. The task of capturing Banaras was entrusted by Muhammad Ghor to his general, Kutbu-d-Din Aibak. Kutbu-d-Din advanced to Banaras against Jayachand with fifty thousand mounted men clad in "armour and coats of mail". A fierce battle took place. The Rai of Banaras who prided himself on the number of his forces and war elephants, seated on a lofty howdah, received a deadly wound from an arrow. His death resulted in the defeat of the Rajputs. Immense booty fell into the hands of the victor including one hundred elephants. The Muslim forces captured the fort of Asni in Pargana Mahaich in Banaras, where the treasure of the Rai was deposited and they demolished nearly one thousand temples and raised mosques on their foundations.<sup>1</sup> The city according to Yadgar-i-Bahaduri was renamed Muhammedabad<sup>2</sup> by Kutbu-d-Din Aibak.

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1. Hasan Nizami, Tajul Masar (Elliot and Dowson; History of India as told by its Historians, vol. II, pp.222-24).
  2. Bahadur Singh Bhatnagar, Yadgar-i-Bahaduri, p. 577.

After the death of Sultan Qutub-d-Din Aibak, Iltutmish who succeeded him, captured the country around Delhi, Badaun, Awadh, Banaras and Siwalik during 1217-18 A.D.<sup>1</sup>

In November 1358 Sultan Firuz Shah Tughluq entrusted the Government of Dehli to Khan Jahan and himself marched at the head of a strong army to suppress the rebellion of Ilyas Haji in Bengal who had extended his territory upto Banaras and assumed the title of Sultan Shams-ud-Din. According to Shams-i-Siraj 'Afif', the contemporary historian, Firuz Shah halted at Zafarabad in 1359, on his way to Bengal and impressed by the site of the present city, where the road crossed the river, decided to build a town there to be called Jaunpur, after the name of Muhammad Tughluq, whose real name was Jauna.<sup>2</sup>

After a long delay the Sultan reached Bengal in 1359. Sultan Sikander, like his father, shut himself up in the fortress of Ekdala. Firuz besieged it. At last peace was concluded and the territories under his occupation were included in the Dehli Sultanate.<sup>3</sup>

The founder of the Sultanate of Jaunpur was Malik Sarvar who is said to have begun his career as a slave of Sultan Muhammad Shah (son of Firuz Tughluq). But he rose steadily

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1. Banaras Gazetteer, p.130.

2. B.V.B., op.cit., p.186.

3. Ibid.

till he became the Wazir in 1389 with the title of Khwaja Jahan. Sultan Mahmud, the last Tughluq King, conferred on him the title of Malik-ush-Sharq, (chief of the East) and appointed him governor of the Eastern provinces of the <sup>1</sup> Empire.

In 1394 Sultan Muhammad Shah conferred territories of Kanauj, Sandila, Dalmau, Bahraich, Banaras and Tirhut including Jaunpur to Khwaja Jahan, who carved out an independent kingdom of Jaunpur and from this time onwards the territories <sup>2</sup> gradually gained political importance.

Khwaja Jahan died in 1402 A.D. He was succeeded by his brother Ibrahim to the throne under the title of Shams-ud-Din Ibrahim. During his long reign of forty years, Jaunpur attained the height of fame and prosperity. It also became a noble centre of learning and books like the Hashiah-i-Hindi, the Bahr-ul-Mawwai, the Fatwa-i-Ibrahim Shahi and the Irshad were written by the renowned scholars including Qazi Shihab-<sup>3</sup>ud-din, the great favourite of Sultan Ibrahim.

He was succeeded by his eldest son, Sultan Mahmud under the title of Muhammad Shah and in his reign Ghulam <sup>4</sup> Amina was given the charge of Banaras.

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1. B.V.B., op.cit., p.187.

2. Yahya Bin Ahmad Abdullah Sirhindi, Tarikh-i-Mubarak Shahi, p. 257; S.A.A. Rizvi, Tughluq Kalin Bharat, vol. II, p.216.

3. B.V.B., op.cit., vol. VI, p.188.

4. Banaras Gazetteer, p.130.

Muhammad Shah was succeeded by his younger brother Husain Shah (1458-79), during whose reign Ghulam Amina continued to be in-charge of Banaras.<sup>1</sup>

In 1479 when Bahlol Lodi defeated Husain Shah in a thick battle near Jaunpur, Husain Shah fled to Bihar and his entire territory was annexed. Bahlol divided his dominions among his relatives and ~~amirs~~<sup>2</sup>. Jaunpur was conferred on his son Barbak Shah. The most outstanding achievement of Bahlol's reign was the conquest and annexation of Jaunpur, which not only strengthened the foundation of his dynasty but also won back for the Sultanate an important territory which had been lost as early as 1394.

Ghazipur also formed a part of Jaunpur kingdom. Nasir Khan Lohani was appointed as Governor of Ghazipur, who held the office for forty years till the reign of Babur.<sup>3</sup> After Bahlol's death his son Sikander succeeded, who conquered Jaunpur from his brother Barbak Shah and conferred the ~~Subah~~<sup>4</sup> on Jamal Khan and also ordered him to keep 12,000 horses.

Jamal Khan, who was much pleased with the loyal services of Hasan Khan, Sher Shah's father, took him with him and

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1. Nizam-ud-Din Ahmad, Tabakat-i-Akbari, p.460, (translated into English by B.Dey, 1939).
  2. Mi'matu-lla, Tarikh-i-Khan Jahan Lodi (Elliot, vol. V, pp. 89-90).
  3. John Briggs, Perishta, vol. I, p.327.
  4. Abbas Khan Sarwani, Tarikh-i-Sher Shahi (Elliot ~~and~~ ~~Rawson~~ History of India as told by its Historians, vol. IV, p.310).

granted him in jagir the parganas of Sahasran, Hajipur and <sup>1</sup> Tanda (in Banaras) and ordered him to maintain 500 horsemen.

After the death of Sikander, his son, Ibrahim succeeded him. After the battle of Panipat he had lost all control of the eastern districts and Banaras and Ghazipur passed into the hands of the Afghans. They set up Darya Khan under the title of Sultan Muhammad but in 1527 Babur sent Humayun against the Governor of Ghazipur who still held out.<sup>2</sup> In April 1529 Babur again visited Ghazipur and dislodged all the Afghan chiefs from their positions.<sup>3</sup>

Humayun again attempted the conquest of Jaunpur as the afghans had proclaimed a new Sultan of that place in the person of Behar Khan, the son of Darya Khan. This man was the patron of Sher Khan Suri, who had been the Jagirdar of Shahabad and held Tanda in Banaras. Sher Khan in course of time got the possession of the Province of Bihar and Jaunpur and the fort of Chunar,<sup>4</sup> which greatly increased his power and forces, while Humayun was engaged in the campaign of Gujrat and Malwa. To curb his progress, the Emperor marched against him on the 12th of August, 1538 and captured the fort of Chunar and halted at Banaras,<sup>5</sup> and from there he sent an envoy to Sher Khan, proposing

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1. Abbas Khan Sarwani, Tarikh-i-Sher Shahi (Elliot, vol. IV, p.310); Briggs, John, Firishda, vol. II, p.61.
  2. Erskine, Memoirs of Babur, p.340.
  3. Ibid., pp. 408-421.
  4. Nizam-ud-Din Ahmad, Tabaqat-i-Akbari, (Elliot, vol. IV, p.199).
  5. Ibid., p.200.



him to surrender Bihar. Sher Khan accepted the proposal provided Humayun spared Bengal for him and returned to Agra.<sup>1</sup> Humayun agreed to the proposal.

While Humayun was still camping in Banaras, the envoy of Sultan Mahmud of Bengal came in the presence of Humayun and broke the news of the seizure of the fort of Gaur by the Afghans. As soon as Humayun heard the request of Sultan Mahmud, he ordered his victorious forces to march towards Bengal and wrest Gaur from the Afghans.<sup>2</sup>

Meanwhile Sher Khan came to Banaras and besieged the Governor and despatched another force towards Jaunpur, the Governor of which place was killed in battle. Every Governor on the part of the Emperor was either defeated or killed and driven out of the country who offered any opposition. All the districts, as far as Kanauj and Sambhal, fell into the possession of the Afghans.<sup>3</sup> Adil Shah appears to have held Chunar for some time. He was defeated and slain in 1560 while fighting against Khizir Khan, the son of Muhammad Shah, near Mungir. When the news of this calamity reached his son at Chunar, the Afghan nobles unanimously set him up as Sultan under the title of Sher Shah but he was defeated in an attempt to conquer Jaunpur, then held on behalf of Akbar by Ali Guli Khan, Khan-i-Zaman and the district passed into the hands of

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1. Sarwani, op.cit., p.362.

2. Ibid., pp.363-367.

3. Ibid., p.368.

the Mughals as a dependency of the Subah of Jaunpur. But this was followed by the rebellion of Ali Quli Khan and his brother Bahadur Khan in the east.<sup>1</sup>

Akbar marched against Ali Quli Khan in 1535 and arrived at Jaunpur but at the intercession of Munim Khan Khan-i-Khanan,<sup>2</sup> Ali Quli Khan was pardoned. As soon as the Emperor returned to Agra, the rebels Sikander Khan, Ali Quli Khan, Ibrahim Khan and Bahadur Khan seized Banaras and plundered it in 1566.<sup>3</sup> They continued to hold it till 1567, when Akbar again suppressed their rebellion near Jaunpur. He stayed there for two days and then marched to Banaras and conferred the territory to Munim Khan Khan-i-Khanan,<sup>4</sup> who retained the command till the Bengal campaign of 1574, when Akbar came to Banaras by river, stayed there for two days and entrusted all the Mahals and Jagira of Ali Quli Khan and Bahadur Khan comprising the districts of Jaunpur, Banaras, Ghazipur and territory up to the bank of the river Ganges near Chausa to Munim Khan.<sup>5</sup>

When Munim Khan was appointed Viceroy of Bengal in 1575, the territory of Jaunpur, Banaras and Chunar was declared Khalasa and its management was entrusted to Mirza Mirak Rizvi and Shaikh Ibrahim Sikri as deputies. In 1584 the construction

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1. Albadsoni, Muntakhab-ut-Tawarikh, p.84.

2. Ibid., p.120.

3. Ibid., p.110.

4. Abul-Fazl, Akbarnama, p.258.

5. Ibid., p.260.

of the fort of Allahabad was completed<sup>1</sup> and it became the capital of the Province instead of Jaunpur. Banaras became one of its Sarkars.

Mirza Chin Quli, son of Mirza Quli Muhammad Khan, was the Faujdar of Jaunpur and Banaras during the early years of Jahangir's reign. He rebelled in Jaunpur but was killed.<sup>2</sup> He was succeeded by Jahangir Quli Khan, son of Asam Khan Mirza Koka. Prince Khurram (Shah Jahan) also rebelled in 1624 and seized the fort of Allahabad, but being pursued by the Royal forces,<sup>3</sup> he fell back to Jaunpur<sup>4</sup> and thence proceeded to Banaras.

In 1632 Shah Jahan decided that all temples which were under construction should be demolished. Abdul Hamid Lahori, the author of Badshahnama, mentions that the Emperor gave orders that "at Banaras, and throughout all his dominions in every place, all temples that had been begun should be cast down. It was now reported from the province of Allahabad that seventy-six temples had been destroyed in the district of Benares.<sup>5</sup> His eldest son, Dara Shukoh, invited 150 bandits and Sanyasis from Banaras and with their assistance wrote the book entitled 'Sirr-i-Akbar' (the Great Secret). This book was completed in 1657.<sup>6</sup>

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1. Albadoni, op.cit., p.211.

2. Sam Sam-ud-Daulah Shah Nawaz Khan, Nassir-ul-Dara, vol. I, p.434.

3. Mu'izz-ud-Din Khan, Iqbal-nama-i-Jahangiri, p.267.

4. Muhammad Hadi, Talim-ul-Maciat-i-Jahangiri (Elliot, vol. IV, p.394).

5. Abdul Hamid Lahori, Badshahnama (Elliot, vol. VII, p.36).

6. K.R. Qanungo, Dara Shukoh, p.150;



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1. Albedaoni, op.cit., p.211.

2. Sam Sam-ud-Daulah Shah Nawaz Khan, Nassir-ul-Umara, vol. I, p.434.

3. Mu'ammad Khan, Iqbal-nama-i-Jahangiri, p.267.

4. Muhammad Hadi, Tatimmat-i-Maciat-i-Jahangiri (Elliot, vol. IV, p.394).

5. Abdul Hamid Lahori, Badshahnama (Elliot, vol. VII, p.36).

6. K.R. Qanungo, Dara Shukoh, p.150;

During the reign of Aurangzeb, Khwaja Sadiq Badakhshi<sup>1</sup> Arsalan and Khizir Khan were the Fauidars of Banaras. In the early years of his reign, some priests of Banaras temples were harassed by Muslim officers in performing their religious duties. They appealed to the Emperor. Aurangzeb then issued orders to the Fauidar of Banaras informing him that no new temples would be allowed to be built, nor the priests of existing old shrines were to be disturbed in the legitimate<sup>2</sup> performance of their religious duties. But when Aurangzeb felt himself secure on the throne, he issued orders to the Governors of the provinces, on the 18th of April, 1669, to destroy with a willing hand the schools and temples of the infidels and they were strictly enjoined to put an entire stop to the teaching and practicing of idolatrous forms of worship. The Governors carried out the imperial orders and demolished numerous shrines in the city; the temples of Vishwanath and Veni Madhava were chief among them. On the 2nd of September, 1669, it was reported to the Emperor that in obedience to royal behest, the Government officers had<sup>3</sup> destroyed the temple of Vishwanath at Banaras.

Aurangzeb was not content merely with pulling down the temples of Banaras but he also wanted to wipe out its name. He, therefore, renamed the city as Muhammadabad. This name,

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1. Sam Sam-ud-Daulah Shah Nawaz Khan, op.cit., p.268.
  2. J.N. Sarkar, Aurangzeb, vol. III, p.281.
  3. Muhammad Saqi Musta'idd Khan, Ma-assir-i-Alangiri (Elliot, vol. VII, p.184).

however, remained only on the coins issued by the successors of Aurangzeb, until the province of Banaras was ceded to the East India Company by the Nawab of Awadh in 1775.<sup>1</sup>

Soon after the death of Aurangzeb, the grip of the Central Government upon the provincial governors gradually loosened leading to their becoming virtually independent. His son, Muazzam, succeeded to the throne as Bahadur Shah I and during his reign the Zamindars of eastern districts, taking advantage of the disturbed state of the empire, rose to rebellion and refused to pay the revenue. They assumed the title of 'Raja'.<sup>2</sup> In 1712 his eldest son Jahandar Shah succeeded him but was emperor only for a fortnight or so. War broke out between him and his nephew Farrukh Siyar (son of Azim-us-Shan) over the division of the kingdom. The Sayyid brothers Abdullah Khan and Hussain Ali of Barha promised to support the claims of Farrukh Siyar who became the emperor (1712-1719).<sup>3</sup> His army crossed the Karamnassa river, reached Saidraja (in the district of Banaras) on October 28 and moved on to Mughalsarai the next day.<sup>4</sup> Farrukh Siyar visited Banaras to impose a levy of a lakh of rupees on Rai Kripa Nath of Banaras. In 1713 the emperor sent Munnawar Khan with a large army and many guns to punish the Zamindars who were defeated with great slaughter and their women and

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1. Prayag Dayal, Catalogue of the Coins of the Kings of Oudh, p.2 (Introduction)
  2. W. Irvine, Later Mughals, vol. I, pp.212-13.
  3. Khafi Khan, Muntakhab-ul-Lubab, (Elliot, vol. VII, pp. 440-441).
  4. Yadgar, p.577.

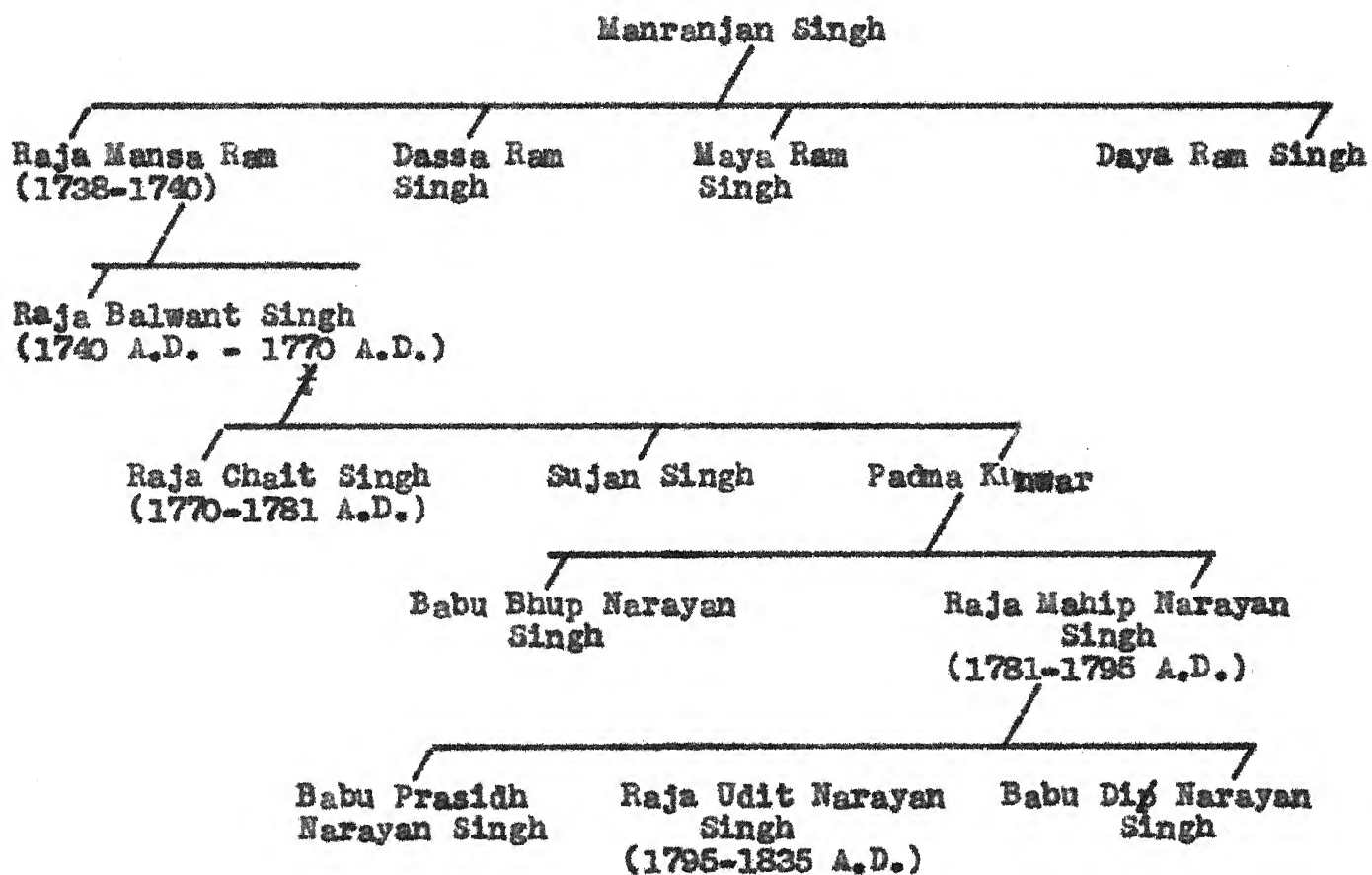
children were captured by his riissaldar Shaikh Mangli. Those who persisted were buried alive and those who submitted were pardoned and rewarded.<sup>1</sup> In 1719 Farrukh Siyar was murdered and Muhammad Shah ascended the throne in September in the same year. He gave Murtaza Khan, one of his courtiers, a jarir comprising of four Sarkars of Banaras, Jaunpur, Ghazipur and Chunargarh. The whole area corresponded roughly to the present districts of Banaras, Jaunpur, Ghazipur, Azangarh and Ballia and eastern portion of the district of Mirzapur. Murtaza Khan entrusted the management of these districts to one of his relations, Mir Rustam Ali Khan, for a consideration of five lakh of rupees annually, the latter having the right to retain the surplus for himself but he proved to be very weak and could not realize the revenues from most of the Zamindars, though Fateh Singh, the Zamindar of Jakkhini, Berisal Singh and Dariso Singh, Zamindars of Manjhawa, who held the highest places among the riissaldars, paid their revenues regularly.<sup>2</sup> In 1722 Muhammad Amin, well known as Saadat Khan, was made Subahdar of Awadh. About 1728, Murtaza Khan leased his Jagir to Saadat Khan for an annual sum of seven lakh of rupees, who allowed Mir Rustam Ali to continue to manage the estate for eight lakh of rupees annually. Mir Rustam Ali retained the charge of these Sarkars till 1738, when incurred the displeasure of Saadat Khan. Mir Rustam Ali Khan had begun to depend<sup>a</sup> on a good

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1. Khair-ud-Din Muhammad, Tuhfa-i-Tazah alias Balwanatnamah, p.2 (Translated by Frederic Curven).

2. A.L. Srivastava, The First Two Nawabs of Awadh, p.42.

GENEALOGICAL TABLE OF THE 'BANARAS RAJ'  
(1734 A.D. - 1835 A.D.)



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deal on his deputies, the chief among whom was Mansa Ram, a Gautam Bhumihar and a Zamindar of Tetaria (now known as Gangapur) in pargana Kaswar seven miles south-west of Banaras.

M\_A\_N\_S\_A     R\_A\_M

Mansa Ram became the founder of the Banaras Raj. He belonged to a clan of Gautam Bhumihar Brahmanas, the land holders of pargana Kaswar, a few miles west of Banaras. They traced their descent from a Brahman, Kithoo Mishra, who was the Guru or spiritual guide of Banaras, the king of Banaras. In his Chetovilas, a treatise on Raja Chait Singh, Shanker mentions that Kithoo Mishra was invited by the Raja of Banaras to participate in one of the Yajñas and being pleased with his spiritual ministration he gave him a grant of rent free land of a few bighas in a village named Datripur (Tetaria) by hypocrisy.<sup>2</sup> This fact is also corroborated by Bandijan's Chetchandrika.<sup>3</sup> The angry saint felt incensed at the deception which had been practised on him and predicted that all the domains of the perpetrators of the act would one day become the property of his own descendants.<sup>4</sup>

Manranjan Singh (Miranji), one of the descendants of Kithoo Mishra, had four sons. The eldest of whom was Mansa Ram, the second Dassa Ram, the third Maya Ram, the youngest

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1. Balwant, p.2.

2. Shanker, Chetovilas, Sl.48.

3. Gokul Nath Bandijan, Chet Chandrika, pp. 3-3a..

4. Banaras Commissioner's Correspondence, vol. No.118, pp. 45-48; W.Oldham, Historical and Statistical Memoir of the Ghazipur District, I, pp.98-99.

Daya Ram. The original Zamindari consisted of a few hundred<sup>1</sup> bighas of land in the village of Gangapur.

Manasa Ram, the founder of the Banaras family, was born towards the end of the reign of Aurangzeb. He was a servant of Biresal Singh, the Zamindar of Kaswar. Once he was sent to negotiate certain matters with Mir Rustam Ali, the officer of Nawab Safdar Jang, at Banaras. Due to his extraordinary ability and intelligence, he won the favour of Mir Rustam Ali and entered his service.<sup>2</sup> Gradually he became the great favourite of Mir Rustam Ali and roused enmity between his new master and Biresal Singh. He fought against his old master on behalf of Mir Rustam Ali, defeated and expelled him from his Zamindari.<sup>3</sup>

In 1737 Manasa Ram acquired possession of the Fort of Mariahu in the Jaunpur district. The circumstance is hardly worthy of mention except as it affords a good illustration of the policy adopted by the chiefs of Banaras family in aggrandizing their power. Mir Rustam Ali, with the aid of Vikramajit, the Raja of Mariahu and Manasa Ram, was engaged in an expedition against the refractory Zamindars of Kantit (now in Mirzapur). The zamindars would have surrendered but they were secretly instigated by Manasa Ram to continue to fight when Rustam Ali and his followers were about to attack. Manasa

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1. Calendar of Persian Correspondence, V, No. 1407.

2. B.C.C., vol. 118, pp. 43-44.

3. Ibid.,

Ram refused to allow his men to fight for Mir Rustam Ali unless the custody of the Mariahu fort was made over to him. Mir Rustam Ali afraid of losing his help at a critical time, induced the Raja of Mariahu to surrender the fort to Mansa Ram. Mansa Ram, having attained his object, joined the expedition against the refractory Zamindars of Kantit. After the suppression of rebellions, Rustam Ali's promise with regard to the Fort was broken and it was retained by Mansa <sup>1</sup> Ram.

When Mansa Ram gained complete knowledge of the affairs of the country, its revenues and disbursements, he secretly wrote to Nawab Safdar Jang to remove Mir Rustam Ali and appoint him in his place. Mir Rustam Ali came to know of his evil designs, he sent for him and called for an explanation of his conduct. Mir Rustam Ali told him that it was he who had raised him from a petty land holder to the present eminence of power and influence; that he (Mansa Ram) came there in the capacity of a Vakil and caused the ruin and expulsion of his own benefactor and that he had never thought that he (Mansa Ram) would behave with him also in the same manner. But the latter replied that the charge against him was false and calumnious. Mir Rustam Ali believed in all the assertions <sup>2</sup> but Mansa Ram continued to carry on his intrigues.

In 1732 Safdar Jang came to expel Mir Rustam Ali from Banaras. He was received by Mansa Ram at Jaunpur. After

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1. Oldham, op.cit., p.99.; Balwant, p.66-7

2. C.P.C., V., No.1407.



protracted negotiations the three sarkars of Jaunpur, Chunar and Banaras were made over on promise of payment of an annual revenue of 13 lakh of rupees to Mansa Ram in the name of his son, Balwant Singh. He promised Nawab Safdar Jang to pay four or five lakh of rupees more than what was being paid as rent by Mir Rustan Ali and obtained a Sanad and title of the Raja for his Zamindari from Emperor Mohammad Shah of Delhi in 1738, in the name of Balwant Singh through Muhammad Quli Khan, whom he had made his patron by offering a slave girl. Mir Rustan Ali was thrown into the prison, where he committed suicide. Sheikh Abdulla was appointed as a Amildar in the Sarkar of Ghazipur on payment of two <sup>1</sup> ~~lakh~~ of rupees annually to Safdar Jang.

Mansa Ram entered Banaras in triumph on May 31, 1738 and thus became the founder of Banaras Raj. He could not enjoy the fruits of his labour for long. He died in 1740 leaving behind him his son, Balwant Singh, as his successor<sup>2</sup> to rule over the country.

### B\_A\_L\_W\_A\_N\_T S\_I\_N\_G\_H

Balwant Singh was the only acknowledged son of Mansa Ram, whose mother was the sister of Chain Singh, Zamindar of Sikhar, a village on the north bank of the Ganges, opposite to the Fort of Chunar.<sup>3</sup> He became the virtual ruler of the

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1. Balwant, p.9; Banaras Residency Correspondence, March 28, 1796, p.21.
  2. B.C.C., Family Domains, File No. 112, p.2.
  3. Balwant, p.10.

State of Banaras, which the Imperial Grant had already vested in him in his father's life time. Nevertheless he sent a nazar of rupees 21,775/- to Delhi and obtained from Emperor Mohammad Shah recognition as Raja and Zamindar of Kaswar, Afrad, Katehar and Bhagnal as well as the lease of three sarkars (Banaras, Jaunpur and Chunar). He continued to strengthen his position and enlarge his zamindari. At a later stage he almost attained an independent status within the empire.<sup>1</sup>

He selected Tetaria,<sup>2</sup> his grand father's village, as a place for his residence and built a fort there. But as the villagers in the neighbourhood had a couplet associated with the name of the village which rhymed with that of the Sweeper Caste (Tetaria with Mehtareah) he changed the name to that of Gangapur,<sup>3</sup> which it still bears.

For the first ~~time~~ nine years of his rule, Raja Balwant Singh paid regularly his revenues to the Viceroy of Awadh and conducted himself in a most submissive manner towards his superiors.

Muhammad Shah died in 1748, Ahmad Shah, his successor, made Safdar Jang the Wazir (Minister) of the empire. It was under his vague and shadowy title that the ruler of Awadh first endeavoured to bring the state of Banaras under his power and subjection.<sup>4</sup> The fort of Chunar was wrested away by the

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1. Oldham, op.cit., p.100.

2. It is an old name of Gangapur.

3. History of the Province of Banaras, p.3; Oldham, op.cit., p. 100.

4. Report from the Select Committees of the House of Commons, vol. IV, East Indies, 1781-1782, p.54, columns, 1 and 2.

Wazir but Balwant Singh succeeded in maintaining his independence in the rest of the state which he had inherited from his father.

He continued to pay the tribute to the Nawab Wazir Safdar Jang, the successor of Saadat Khan, but watched the situation with astuteness, pursued his own policy of suppressing any local opposition to him and gradually crushed the powerful zamindars of the three sarkars. He induced Sheo Baksh Singh, the Monas Raja, to surrender the pargana of Katehar to him<sup>1</sup> which he had obtained as a grant from the Mughal Government. He thus established his suzerainty throughout the province of Banaras. In 1748 when Kashi Bai, the mother of Peshwa Balaji Baji Rao, came to Banaras on a pilgrimage with her Maratha escort, Balwant Singh's uncle Dassa Ram (who had been turned out by Balwant Singh when he came into authority) sought the protection of the Marathas. Balwant Singh complained to the Imperial Court that Dassa Ram was laying claim to a share in his brother Mansa Ram's estate. The affairs took a political<sup>2</sup> turn but nothing came out of it. In 1748 Balwant Singh took the fullest advantage of the absence of Safdar Jang (who was away in Delhi) by expelling the agent of the Awadh Government, refusing to pay the revenues and declaring null and void the previous engagement.<sup>3</sup>

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1. W. Crookes, The Tribes and Castes of North Western Provinces and Oudh, vol. IV, pp.1-2.
  2. K.R. Ganungo, Some Side-Lights on the History of Banaras, P.I.H.R.C., vol. XIV, pp.65-66, (1937). Peshwa Daftar, vol. 40, Nos. 40, 41, 42.
  3. F.H. Fisher and J.P. Hewett, Statistical Descriptive and Historical Account of the North-Western Provinces of India, vol. XIV, part I, Banaras, p.106.

He expelled the Sazawals of the Nawab Wazir, to whom he should have paid the revenue. With the help of Raja Prithvipat Narain<sup>1</sup> of Partapgarh, he attacked the pargana of Bhadohi. Daswant Singh, Chief of the Pargana, notwithstanding his courage and numerous followers, did not consider himself strong enough to meet the enemy in the field, and therefore, he retired to the mud fort of Bhadohi at Suriyawan where Daswant Singh with his adherents had entrenched themselves. Although the fort was strongly fortified, yet it was surrounded and besieged for many days. Daswant Singh was captured alive and killed with great cruelty.<sup>2</sup>

These events brought Balwant Singh into hostility with Ali Quli Khan, the Subahdar of Allahabad. Ali Quli Khan, enraged at this invasion of the territory under his charge, proceeded to Bhadohi with an army. The sons of Beri Sal Singh and Dariso Singh also joined him and the fort of Bhadohi was captured. Balwant Singh first fled, then sued for peace, offering a large sum in expiation of his offence. He entered into negotiation with Subahdar and meanwhile, so effectually corrupted several of his Hindu officers, that on the occasion of his making a sudden and treacherous attack on the Subahdar they offered only a resemblance of resistance and sent their troops to fight in the rank of assistants. The son of Dariso Singh was killed in the fight. The army of Ali Quli Khan was<sup>3</sup> completely defeated and fled ignominiously to Allahabad.

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1. Prithvipat was a grand son of Raja Pratap Singh, a Sombanshi chief of considerable importance who had founded the town of Pratapgarh.
  2. Balwant, pp. 22-23; B.C.C. Family Domains, Letters issued vol. 190(4), p.14.
  3. Oldham, op.cit., p.100.



Soon after this occurrence in 1750, the Viceroy of Awadh was himself routed by the Rohilla Afghans and Allahabad was occupied by Ahmad Khan Bangash of Farrukhabad. Sahib Zaman Khan, a cavalry commandant of Balwant Singh, was appointed by Ahmad Khan as Governor of Banaras and Southern Awadh. Ahmad Khan had appointed Muhammad Amin Khan, one of his step brothers, Fauidar of Ghazipur and Sahib Zaman Khan Jaunpuri, a cousin of one of his wives, to Jaunpur, Banaras and Chunargarh with orders to eject Safdar Jang's officers from the district and occupy them according to his orders. Ghazipur submitted to the Pathans without delay. Its Fauidar, Fazl Ali, fled away. But Balwant Singh, ruler of the three districts, refused to give them to Sahib Zaman. Therefore, Ahmad Khan despatched troops to Jaunpur and directed Akbar Shah, Raja of Azamgarh and Shamshad Khan, Zamindar of Mahul, to cooperate in expelling Balwant Singh from his territory. The allies assembled their troops consisting of 1,700 horses and 10,000 foot at Akbarpur, now in Fyzabad District and captured the fort of Surhanpur after a seige of 15 days and whatever was found in it was given out to the troops. The fort of Jaunpur was also taken with ease after a resistance of six hours.

When Balwant Singh received the news that Ahmad Khan Bangash had arrived at Allahabad and was besieging the fort, he sent Lal Khan, Rasul Khan Bakshi and Mangli Khan, Rissaladars, with costly gifts for Ahmad Khan. Ahmad Khan received the agents cordially and issued orders demanding Balwant Singh's presence in his camp. Accordingly, Balwant Singh went



to Allahabad and presented one lakh of rupees to Ahmad Khan and was allowed to retain only one half of his territory and the other half, viz. north of the Ganges was given to Sahib Zaman Khan.<sup>1</sup> Ahmad Khan warned Zaman Khan to be on his guard against Balwant Singh.

Balwant Singh ~~felt~~ now alarmed at what Ahmad Khan had done. He left Gangapur and reached Mariahu. There he demanded the evacuation of his territory by Zaman Khan. To this Zaman Khan did not consent. The two ~~a~~ armies met at Saidpur,<sup>2</sup> but no battle ensued, as Balwant Singh's Afghan commanders refused to fight their kinsmen. Balwant Singh in disgust withdrew, and allowed Zaman Khan to leave the field and to go to Chandipur. There a mutiny occurred among his troops, instigated by Balwant Singh, and Zaman Khan fled to Azamgarh. Balwant Singh recovered the whole of his territory occupied by Zaman Khan.<sup>2</sup>

The period from 1748 to 1752 was a time of great anxiety for the city of Banaras, as Balwant Singh, Safdar Jang, Ahmad Khan Bangash and Marathas were severally making efforts to seize the city.<sup>3</sup> Towards the end of 1750, Ahmad Khan Bangash sent his detachments to the districts of Banaras, Azamgarh and Jaunpur. They created havoc in the city of Banaras which remained in a state of confusion for two days.<sup>4</sup> People fled

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1. Balwant, op.cit., p.27.

2. Ibid., pp. 27-29.

3. A.S. Altaker, History of Banares, p.60.

4. Sardesai, Marathi Riyasat, Panipat Prakarna, p.11.

to distant places, the charges for journeys by bullock carts having risen as much as eighty rupees for a distance of a hundred miles or so. It appears from a letter of Bal Krishna Dikshit, dated the 5th of May, 1752, that Balwant Singh induced the bankers of the city who waited upon the invading Afghan Chiefs and placated them by offering handsome money.<sup>1</sup> This crisis was averted and the Afghans left the place.

The Nawab Wazir, being no longer occupied with the Afghans, started for Banaras to take revenge on Raja Prithvipat, Zamindar of Pratapgarh and Raja Balwant Singh of Banaras for the part they had played in acknowledging and obeying the authority of Ahmad Khan. On reaching Sultanpur, Raja Prithvipat presented himself to the Nawab, who cherished a deadly hatred towards him. Ali Beg Khan, one of the courtiers of the Nawab, who was standing by Prithvipat's side, drew his sword<sup>2</sup> and stabbed him to death.

Early in March 1752. on receipt of the news of the murder of Raja Prithvipat of Pratapgarh and of the Wazir's advance to Jaunpur to chastise him, Balwant Singh, apprehensive of his safety, left Gangapur, crossed the Ganges and took refuge in his hill fort of Latifpur, near Mirzapur. Safdar Jang reached Banaras, plundered the fort of Gangapur, and sent an army across the river to pursue Balwant Singh. Informed of the Nawab Wazir's designs, Balwant Singh sent Lal Khan

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1. Rajwade Marathanchya Itihasa-chin Sadhanen, vol. III, p.354.
  2. Balwant, op.cit., pp. 29-30; Oldham, op.cit., p.100.

with a Nazar of two lakh of rupees to the Nawab Wazir and also promised to pay two lakh of rupees yearly increased revenue. Lal Khan was introduced to the Nawab Wazir by his trusted man Sayed Nur-ul-Hasan Khan Bilgrami who had pleaded the Raja's case. Safdar Jang agreed to pardon Balwant Singh on condition that the latter would present himself before him. But the Raja was clever enough to get involved with the same fate which befell Prithvipat. In spite of the Nawab's insistence and Nur-ul-Hasan's assurances about the safety of his life, Balwant Singh could not be <sup>2</sup>persuaded to pay the Nawab Wazir a visit. Failing in his attempts to entrap the Raja, the Nawab Wazir privately sent him a khilat and confirmed him in all his possessions and appointed Nur-ul-Hasan as Sazawal to ensure regular payment of revenue. Thereafter he left for Delhi to settle the affairs of Ahmad Shah Abdali.<sup>1</sup>

Balwant Singh shifted his headquarters from Gangapur to Ramnagar, where he built on the right bank of the Ganges a strong fort. For safe keeping of his treasures and valuables and strengthening his defence, he captured the fortresses of Bijaigarh, Pateeta, Latifpur and Agor<sup>2</sup>.

### B I J A I G A R H

The fort of Bijaigarh belonged to the Chandel Rajput Raja of the Pargana Bijaigarh. It is situated at a distance

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1. Murtaza Husain Bilgrami, Hadiyat-ul-Accalia, p.125.

2. Balwant, pp.32-33; Oldham, op.cit., p.101.

of 58 miles south east of Mirzapur and 54 miles south of Banaras, on the flat topped but precipitous mountain in the Kaimur range, two thousand feet above the sea level and is approached by a single narrow and difficult path. Balwant Singh forced Bijai Singh, Raja of Bijaigarh to sell the fort for Rs.50,000 to him in 1752.

#### PATEETA

The fort of Pateeta is situated at the foot of the Vindhya Hills, seven miles from Chunar. It was erected by the ancestors of Dewan Jamayat Khan, Zamindar of pargana Bhagwant. Balwant Singh at first endeavoured to obtain possession of the fort by treachery, but was defeated by the unceasing care and watchfulness of Jamayat Khan. At length Jamayat Khan fell ill, Balwant Singh attacked and captured the fort after a month's siege in about the middle of 1753.

#### LATIPUR

It is situated in the Kupsa Hills, 24 miles south of Banaras, on a picturesque gorge of Vindhya Hills and commanding the road from Ramnagar to Bijaigarh. It was erected by Malik Farukh, Zamindar of Ahraura, for the safety of his family and treasures. Malik Farukh paid revenue to Balwant Singh. During his life time Balwant Singh was unable to get possession of the fort. Malik Farukh died in 1753 leaving two sons, Malik Ahmad and Malik Ahsan.

The Raja sympathised with the young sons in their sad bereavement by sending messages of condolence, lulled them

to security and belief of his friendliness. But suddenly attacked the Ahraura fort which was not a strong one and was taken after six hours fighting.<sup>1</sup>

#### AGOREE

The fort of Agoree, which stands on a lofty rock above the Sone River about 12 miles to the south of Bijaigarh, belonged to the Chandel Rajas of Barhar. It was built by the kinsmen of Bijai Singh. Balwant Singh attacked and captured it by force of arms in 1753.<sup>2</sup>

In 1754 Balwant Singh annexed the pargana of Kera Mangraur of the Shahabad district in the province of Bihar. This pargana was held by Daim Khan who belonged to a branch of the Gaharwar Rajputs family of Kantit, who had embraced Islam. The son of Rustam Ali, the former Governor of the province, had married a daughter of Daim Khan. Dassa Ram, uncle of Balwant Singh, who was on enenical terms with him for sometime, took refuge with Daim Khan. Later becoming reconciled to his nephew, Balwant Singh, Dassa Ram treacherously seized his fort for the Raja. Daim Khan soon recovered his fort and made Dassa Ram prisoner but he was unable to retain it for a long time, as Balwant Singh occupied it with the help of his over-powering forces and the Maratha cavalry. Raja Balwant Singh, after the release of his uncle and the expulsion of Daim Khan, came to an agreement with the Deputy

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1. Balwant, p.32

2. Ibid., p.33.



of the Viceroy of Bihar and promised to pay an annual revenue of rupees 7,000 for the parwana. He also obtained a Royal Grant from ~~the~~ Emperor Alamgir the II to hold the parwana free<sup>1</sup> of revenue after making the payment of rupees 80,000.

The year 1735 was marked by the extension of the Sarkar of Jaunpur of the same policy which had been adopted in other parts of the province. The estates of the larger land holders were taken under the direct management by the agents of the Raja and they were themselves imprisoned or banished.<sup>2</sup>

In the same year the Viceroy of Awadh, Safdar Jang, died. He was succeeded by his son Shuja-ud-Daulah. Balwant Singh took the advantage of the confusion caused by the change in administration and chaos crept into the affairs of Chunar due to the death of Ahmad Beg Khan, Liladar of Chunar fort. He wanted to take possession of the fort, as this historic fort was the only place of considerable importance in his dominion. He was in the hands of Agha Mir, a slave of Ahmad Beg, who was directly appointed by the Subahdar of Awadh. He intrigued with Agha Mir, Commandant of the fort, and offered a bribe of rupees one lakh for its surrender.

Shuja-ud-Daulah was apprized of this overture. He immediately marched to Chunar and prevented its surrender.

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1. Oldham, op.cit., p.102.

2. Ibid.

Balwant Singh fled in alarm to Latifpur fort and Agha Mir absconded. Shuja-ud-Daulah occupied the fort and appointed<sup>1</sup> a trusted officer as its commandant.

After these momentous transactions, Shuja-ud-Daulah entered Banaras and directed Fazl Ali Khan, son of Shaikh Abdullah, Faujdar of Ghazipur, to drive Balwant Singh out of Latifpur. But the latter was not the man to be so easily entrapped. He burnt Latifpur and shut himself in Bijaigarh and solicited the aid of the Marathas from Patna. Being aware of the magnitude of the task of reducing the rebellious Raja, Fazl Ali demanded, as the price of his undertaking the expedition, that he should be provided with 10,000 cavalry, be exempted from the payment of the current year's revenue (10 lakhs) and be confirmed as the ruler of Banaras state on the same annual tribute as Balwant Singh used to pay, if he succeeded in ousting the Raja. But the Chief Minister Muhammad Ali Khan and other trusted officers of the army advised the Nawab Wazir against the suicidal policy of forcing such a powerful vassal as Balwant Singh to remain for an indefinitely long period in open rebellion at such a juncture, when Ahmad Shah Abdali accompanied by a formidable Afghan force had swooped down upon the field of Punjab. The Nawab approved of the proposal for peace and accepted the terms settled in conference between Lal Khan, agent of the Raja and his own officers. Balwant Singh promised to pay

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1. Balwant, pp.37-38.

immediately 5 lakh of rupees as present (Peshkash) and agreed to pay an additional sum of rupees 5 lakhs to the annual tribute payable by him to the Nawab's treasury. Shuja-ud-Daulah confirmed the Raja in all his possessions and bestowed upon him the pargana of Bhadohi as a rent free lagir and proceeded to Faizabad for making arrangements for the defence of his territory against the possible invasion of Abdali.<sup>1</sup>

Fazl Ali had in early life been an intimate friend of Shuja-ud-Daulah, now viceroy of Awadh. Presumably on this account he neglected to pay his revenues and did not treat the viceroy with respect due to him. The Nawab, incensed at his insolence, removed Fazl Ali from Ghazipur, but before long re-instated him as Mohammad Ali Khan appointed in his place, was unable to manage the affairs of the Zamindari properly. Soon afterwards, on the expulsion of the Raja of Azamgarh, the administration of that district was also made over to Fazl Ali in addition to his old charge.

In this new office Fazl Ali committed every sort of injustice and oppression. He was ordered to leave Azamgarh and when he refused, an army under Raja Beni Bahadur, Deputy of the Viceroy, assisted by Balwant Singh, was sent against him. Fazl Ali was defeated and fled to Ghazipur and from there to Patna. The district of Ghazipur consisting of 22 parganas was made over in 1761 by the Nawab Wazir to Balwant Singh on payment of annual revenue of eight lakh of rupees.<sup>2</sup>

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1. Ghulam Hussain Khan, Tarikh-i-Banarasi, pp. 87a-90b; Balwant, pp. 38-39.

2. Oldham, op.cit., pp. 91-92.

Having acquired Ghazipur district, Balwant Singh dispossessed all the Talukdars and pargana Zamindars and took possession of the estates of Raja Bhobal Deo, the Nyobans Raja of pargana Ballia and Babu Durgvijai Singh, the Ujjhaini Chief, a kinsman of the Bhojpur family of Tappah Serinjha in Pargana Chowsa, now included in Shahabad district in Bihar.

Balwant Singh had obtained the aid of Walter Raymond, a French <sup>e</sup>Sergeant, afterward so famous under the name of Samru and Ram Narayan, Deputy Viceroy of Patna. With their assistance the fortress of serinjha was seized and Ujjhaini chief was expelled.<sup>1</sup> The most troublesome subjects of the Raja in his dominion were Sengar Rajputs, Zamindars of pargana Lakhnesar, in the district of Ghazipur. They refused to pay the revenue, attacked and pillaged his treasuries. In 1764 Balwant Singh proceeded against them in person at the head of two hundred horsemen and a few musketeers. A desperate fight took place. The village of Lakhnesar was surrounded and hundreds of lives were lost. At length compromise was effected. The Sengar Rajputs promised better behaviour in future. They were left in possession of their estates at a low fixed revenue.<sup>2</sup>

In 1769 the Marathas reopened negotiations with Imad-ul-Mulk, the wazir of the Imperial Government for securing a sanad which could enable them to make the Ganges all along

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1. Oldham, op.cit., pp.102-103; Balwant, pp.41-42.

its course at least as far as Banaras, their boundary, but as Imad-ul-Mulk who was friendly to Shuja-ud-Daulah (to whom Banaras belonged), refused to comply to this demand.<sup>1</sup>

In May, 1758, Ali Gauhar (who became Emperor under the title of Shah Alam II on the 24th of December, 1759) the eldest son of the Emperor of Delhi, fled from the Capital. His first object was emancipation from the thraldom in which his father and family were kept by the cruel and ambitious Ghazi-ud-Din. Muhammad Quli Khan, the Deputy Governor of Allahabad, and Balwant Singh, Raja<sup>the</sup> of Banaras, promised to help him in his expedition for the conquest of Bengal, Bihar and Orissa. Shuja-ud-Daulah also promised him every assurance and complete support,<sup>2</sup> but he was not sincere in his promises. He encouraged the expedition in order to remove his relation Muhammad Quli Khan from the fort of Allahabad, which he wished to seize for himself.

On January 23, 1759, Muhammad Quli Khan accorded a grand reception to the Prince, when he reached near Jhusi, opposite to the Allahabad Fort, and presented him a nazar of one hundred and one gold mohars.<sup>3</sup> A few days later, Balwant Singh also followed the suit and besides a present of one hundred and one gold mohars, assisted him with two lakh of rupees. The Prince continued his march towards Patna with the help of Muhammad Quli Khan and reached Daudnagar on the 10th of March, 1759.<sup>4</sup>

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1. Canungo, op.cit., pp. 66-67.
  2. John Malcolm, Life of Robert Clive, I (from collection of his private papers) p.390.
  3. Charles Caraccioli, Life of Robert Clive, Baron of Plassey, vol. I, p.463.
  4. C.P.C., I, No.58.



Raja Ram Narayan, the Deputy Governor of Patna requested Mir Jafar and Clive on the 11th of April, 1759, to check the movements of the Prince who had struck terror in Patna.

Confident from the assurances which were made to support him and the near approach of the English help, Raja Ram Narayan made the most gallant exertion to save the city. Every assault was repulsed and the enemy drew back after they had attacked some of the bastions. Discouraged by these defeats and alarmed at the near approach of the corps under Mathews and Clive's rapid advance, the Prince broke up his camp and retreated.<sup>1</sup>

Seeing Muhammad Quli Khan engaged in the siege of Patna, Shuja-ud-Daulah, who had obtained earlier the permission from Muhammad Quli Khan to shelter his family in the Allahabad fort, on pretence of marching to join him, had treacherously captured the Allahabad Fort and made Mirza Najaf Khan and the family of Muhammad Quli Khan and dependents prisoners. Muhammad Quli Khan was utterly confounded with this news. He set out at once for Allahabad. Shuja-ud-Daulah was bent upon his ruin. He had already deputed his Naib Beni Bahadur with instructions to intercept his march and bring him as a prisoner with the help of Raja Balwant Singh.<sup>2</sup> They accordingly encamped their forces near Hannagar on the highway and sent word to the Prince and Mr. Law that they would oppose the progress of Muhammad Quli Khan. Thereupon the Prince separated himself from Muhammad Quli Khan and continued his march to Chhatrapur.

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1. Malcolm, op.cit., p.397.

2. Balwant, pp. 44-45.

They gladly allowed the Prince to proceed unmolested to Mirzapur but Muhammad Quli Khan was forced to surrender and sent as a prisoner to the Nawab <sup>w</sup>Kazir where he died.<sup>1</sup>

On the 24th of December, 1759, the Prince was crowned as Emperor and assumed the title of Shah Alam II and Shuja-ud-Daulah was nominated as his <sup>2</sup>Wazir. He invaded Bihar second time but he was beaten back at the end of April 1760. Again he planned his third invasion of Bihar and soon after Mir Qasim's installation, he took to the field but was finally routed by Major Carnac on 15th of January, 1761. Now the Emperor had to place himself at the mercy of the English at Patna. The English accorded him a royal reception as they wanted to legalize their recent transactions of Bengal by the Imperial sanction and promised to escort him to Patna.<sup>3</sup>

During his stay at Patna, he often expressed his desire to proceed to Delhi and asked Major Carnac to escort him with some European troops but it was not possible for Carnac to do so without the sanction of his superiors from Calcutta. The Emperor summoned Shuja-ud-Daulah to escort him to Delhi and advised him to remain encamped on the other side of the Karamnassa and not cross the boundary of Bihar. Shuja-ud-Daulah, much pleased with the news, immediately started with all his troops and appurtenances to meet the Emperor with the

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1. Balwant, p.46.

2. Malcolm, op.cit., p.262.

3. Bengal Select Committee's letter to Major Carnac, Feb. 17, 1761.

hope to arrest Balwant Singh on some pretence after the Emperor's arrival in Banaras and bring him as a prisoner.<sup>1</sup> He encamped at Saidpur till the Emperor accompanied by Major Carnac had arrived at the Karmnassa and waited upon him at the Sarai Sayyad Raja (in the district of Banaras) with a nazar of one hundred and one gold Mohara, a throne and a royal umbrella on the 19th of June, 1761.<sup>2</sup>

The party reached Banaras on 25th June. Balwant Singh, on receiving the news of the Emperor's march to Banaras, escaped to the hills with his treasure. Nawab Wazir did all he could, by sending him the assurances of safety, to induce Balwant Singh to present himself before him. Beni Bahadur also made efforts but without any effect. However, Balwant Singh sent a nazar of one lakh and twenty thousand rupees and some costly articles to the Nawab through Lal Khan and expressed inability for his presence on account of illness.<sup>3</sup> The Nawab baffled and enraged with anger, marched from Banaras to Allahabad enroute to Jajmau.

The inland trade dispute between Mir Qasim and the English developed into a most disastrous war and finally Mir Qasim was hunted out of his dominions by the English. He

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1. Balwant, pp.45-46.

2. J.N. Sarker, Fall of the Mughal Empire, vol.II, p.543; Balwant, p.47.

3. Balwant, p.45.

visited Banaras on 19th of November, 1763, sought protection and assistance from the Emperor and Shuja-ud-Daulah against the English.<sup>1</sup>

Balwant Singh's avarice was excited by the accounts he had heard of the valuable treasure which Mir Kasim had with him. He deputed his men to steal things so long as Mir Kasim was staying in Banaras. His horses and other articles were being stolen regularly. In spite of heavy guards, his men used to steal articles even from his sleeping apartments. Mir Kasim made repeated complaints to Raja Balwant Singh but received only excuses<sup>2</sup> in return.

After receipt of reply from the Emperor and Shuja-ud-Daulah, Mir Kasim set out for Allahabad, where the Emperor and Shuja-ud-Daulah were encamping and planning an expedition against Bundelkhand. On his arrival at Phaphamau (five miles north of Allahabad) he was received by the Nawab Wazir with respect and honour. The Emperor opposed to the Nawab's rendering any aid to Mir Kasim.<sup>3</sup> But the Nawab Wazir pledged his support and assistance to Mir Kasim. He hoped, under the pretence of assisting Mir Kasim, to seize Bengal for himself. The Emperor and Beni Bahadur opposed the ideas as these were hostile towards the English and advised him against

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1. C.P.C., I, No.1985; Balwant, p.51.

2. Ibid.

3. Ibid., I, Nos. 1962, 2017, 2039.

entering into an alliance with the ex-rulers of Bengal and undertaking the responsibility of fighting with the latter's enemies. But their arguments did not deter him from pursuing the course he had deliberately chosen and terms were finally settled. It was agreed that from the day the army crossed the Ganges in Banaras, Mir Qasim should pay the Nawab Wazir the sum of eleven lakh of rupees per month for the expenses of war. The treasure of Mir Jafar and the English should be divided and that when established in the subahdari, Mir Qasim should pay regularly the peshkash to the Emperor and furnish a body of regular troops for the assistance of the Nawab Wazir when required.<sup>1</sup>

The terms being satisfactorily settled, the united forces with their unwilling Emperor reached Banaras in March 1764. Balwant Singh, at their approach, retired to Latifpur with his family and treasure, where repeated summons to appear before the Nawab reached him. His friends advised him that at this time his refusal would be ascribed to cowardice specially when the Nawab was engaged in the extirpation of the English. Raja Beni Bahadur also pledged for his safety and persuaded him to join the expedition. But Balwant Singh did not trust them<sup>2</sup> and delayed in quitting the fort.

It is said that during their stay at Banaras, the Emperor and Nawab Wazir visited Shaikh Ali Hazin, one of the saints of

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1. Arthur Broome, History of the Rise and Progress of the Bengal Army, vol. I, p.428.

2. Balwant, p.52.



the time. The Shaikh enquired the purpose of their visit to Banaras. They replied that they were proceeding to drive out the English from Bengal and borders of the Hindustan. The Shaikh smiled and doubted the chance of victory of the Indian army against the English, whose troops were well experienced in the art of modern warfare and equipped with upto date arms and ammunitions. He advised them to forego<sup>1</sup> the idea of war for the present.

The news of alliance between the Wazir and Mir Qasim and the impending war reached Calcutta. Vansittart reminded Shuja-ud-Daulah of his promise to punish Mir Qasim and warned him against the hostilities in the event of which the English were determined to carry war into his dominion. In pursuance of the above policy, on the 2nd of February, Major Carnac was directed to proceed to the Karmnassa to prevent the enemy from crossing the river. Accordingly, Captain Jennings's regiment was quartered near the river. While the Captain was watching the movements of the Nawab's army, there broke out a mutiny among the European troops. About 300 mutineers left the English camp and proceeded to Allahabad and joined Shuja-ud-Daulah. They received assistance and supplies during their march from Raja Balwant Singh. Some of them also obtained service with Shuja-ud-Daulah and others in Mir Qasim's regular battalion.<sup>2</sup> The Governor, therefore, wrote to the

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1. Balwant, p.52.

2. Broome, op.cit., p.419.

Emperor and Shuja-ud-Daulah to surrender the deserters. In case of refusal, he threatened them that their deserters would also meet with the same encouragement in the company's territory, but with no effect. The English suspected that Shuja-ud-Daulah had incited them to rebellion.<sup>1</sup>

Intelligence was received that the Nawab's army had thrown a bridge across the river in Banaras and had commenced crossing the southern bank. It was also reported that the bridge had given away, and thereby only half of the Nawab's army could cross the river. The English troops were anxious to attack the Nawab's army at the earliest opportunity but Major Carnac objected to it because of the paucity of provisions, soundness of his position at Buxar and serious objections raised by Mir Jafar, as the latter was at that time carrying on negotiation with Raja Balwant Singh. The terms had been settled and it was only required the seal and signature of the Major on the part of the English to confirm the agreement. This negotiation, it may be mentioned, was a mere ruse of Balwant Singh to gain time and occupy the attention of the Nawab and the English.<sup>2</sup>

The Council in Calcutta were desirous of pursuing the operations more systematically and in their letter of the 12th of March, 1764, they observed, "If, these devices (of

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1. Ben. Sec. Cons., vol. II, p.65; Letters from Captain Jennings to the Governor, dated February 12, February 20 and Feb.24, 1764; C.P.C., I, No.2093, 2094.

2. Broome, op.cit., p.434.

the Nawab Vuzier's intended invasion) should prove to have foundation we think it will be more advisable to carry the war into Sujah-ud-Dowlah's own country, then to wait his entering the Province. "We desire you will march the army across the Karumnassa and proceed to act against the enemy to the best advantage".<sup>1</sup>

On the 15th of March, Carnac was informed that Shuja-ud-Daulah and his allies were on their way towards Bengal and therefore he decided to proceed to the Karmanassa with the double purpose of protecting the frontiers and to negotiate with Raja Balwant Singh, who first came into close contact with the English. Negotiations for an alliance between Balwant Singh and Mir Jafar of Bengal had been on foot for some time. Major Carnac referred to the Government the proposed alliance with Raja Balwant Singh and asked for orders.<sup>2</sup> The British Government accordingly passed the following orders on the 29th of March, 1764.

"Having duly considered the letter of Major Carnac, we are unanimously of opinion that, as Shuja-ud-Daulah has now openly espoused the cause of Cossim Ally Cawn and encourages his designs of an invasion into Bengal we can entertain no further thoughts of entering a treaty with him. On the contrary we think it is our duty to form against him

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1. Ben. Sec. Cons., March 12, 1764, vol. II, pp. 80-81; C.P.C., I, Nos. 2099-2114.

2. Ibid., March 26, 1764, vol. II, p. 89.

all the enemies we possibly can, that the proposed alliance with Bulwant Singh will therefore be a very proper measure and prove as well now as in all times to come a strong barrier and defence to the Bengal Province. Agreed, therefore, that we write to Major Carnac advising him that we shall approve entirely of his entering into the intended treaty in connection with the Nawab Mir Jafar, and of his engaging to protect and maintain Balwant Singh both now and hereafter".<sup>1</sup> There was no doubt about the bad intention of Shuja-ud-Daulah. Therefore, Vansittart warned him to be careful in setting his foot on the soil of Bihar.<sup>2</sup> The allies continued their march. On the 8th of April, 1764, they crossed the Karmnassa and proceeded to Daud Nagar on the Sone. Balwant Singh, seeing no other course left to him, obtained pledges for safety from BaniBahadur and Inayat Khan, son of Hafiz Rahmat Khan, through Sayed Nur-ul-Hasan Khan, ~~Sa~~<sup>3</sup>awal, had joined the army at Daud Nagar on the 23rd of April with 200 horses and 500 foot. The Nawab, under exigencies of the time, was obliged to receive him and attached his forces to those of Beni Bahadur.<sup>3</sup>

Carnac had also reached Buxar on the 17th of March, 1764, although he was directed to cross the Karmnassa and carry war into the Wazir's dominion but he preferred to stay there to collect the news about the movements of the Nawab's army.<sup>4</sup>

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1. Ibid., March 29, 1764, vol. II, p-97

2. Ibid., pp. 99-100.

3. Balwant, p.52

4. Ben. Sec.Cons., March 12, 1764, vol. II, p.p.80-81.

But due to comparatively small numerical strength of the army, inferior cavalry, want of sufficient food and supplies, and corrupt practices, Carnac had to retreat to Patna, although the Nawab's army was marching in full progress towards him. The English army broke up their camp at Buxar on the 4th of April and retreated to Patna on the 23rd of April. The Nawab's army followed them closely behind and set up their camp at Phulwari, 7 miles west of Patna.<sup>1</sup>

Shuja-ud-Daulah marched with his force in the morning of the 3rd<sup>rd</sup> May, 1764 and attacked Major Carnac's entrenchments of Pach Pahar (Panch Pahari). The two armies were engaged in fighting with artillery and small arms from 8 O'clock in the morning till sunset. Nawab Wazir's forces were defeated. At length being unable to stand their ground, they retreated to Phulwari.<sup>2</sup>

It appears that in the battle of Phulwari, the English troops, piercing un-opposed through Beni Bahadur's entrenchments, attacked the Nawab's army which fled enmass. It was also reported to the Nawab that there was some conspiracy between Balwant Singh and Shitab Rai, through whom overtures had been made to the English and Beni Bahadur had been persuaded to keep his forces inactive, when the battle took place. The Nawab's suspicion fell on Balwant Singh.<sup>3</sup>

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1. Ben. Sec. Cons., April 4, 1764, vol. II, p. 117; May 7, 1764, p. 159.
  2. C.P.C., I. No. 2232.
  3. Balwant, pp. 52-53.



So he separated their forces, when he retreated from Patna to Banaras. He directed Balwant Singh to cross the river and station his troops opposite to Buxar and watch the movements of English forces. Accordingly, Balwant Singh crossed the river and stationed his forces at Amla, a village<sup>1</sup> in Pargana Mohammadabad of Ghazipur District. It appears from a letter of Raja Khayali Ram, Naib Dewan of Bihar, addressed to Raja Shitab Rai, that Balwant Singh did not take part in the battle but remained on the other side of the river under pretence of sickness. He desired that in case the English took possession of the country after victory, the affairs of Banaras, Azamgarh, Ghazipur and Kunda would be settled with him. In the month of September, 1764, after the battle of Buxar and flight of the Nawab's army, Balwant Singh proceeded to<sup>2</sup> Ramnagar.

After this memorable victory, Munro proceeded to Banaras with the double purpose of providing medical aid to the wounded and undertaking the conquest of Shuja-ud-Daulah's territories. He reached Banaras on November 8th and issued strict orders to his troops against pillaging and plundering the inhabitants. None of the troops or followers of the army were, on any account to go into the city of Banaras or out of the limits of the camp. If any person was detected plundering, he was to be immediately hanged. The arrangements were made with the shroffs and merchants of the city, by which they agreed to

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1. Balwant, pp.52-53.

2. C.P.C., I. No.2459.

pay the sum of rupees four lakh to the army, as a ransom  
for<sup>1</sup> and restoring peace. For further protection of the city  
a company of Europeans was stationed, the guard of which<sup>2</sup>  
was relieved after every forty eight hours.

Within a few days of his arrival at Banaras, Major  
Munro met Shah Alam and the former promised to put the latter  
in possession of the Wazir's territory. He also tried to  
win the favour of Balwant Singh to the English side and to  
make a friendly agreement with him. Balwant Singh was equally  
eager to seek the protection of the English and to secure  
their recognition of the Zamindari.<sup>3</sup> For this purpose he  
sought the mediation of Shitab Rai and sent a Nazar of eleven  
gold mohars to Munro and wrote to him that if the English  
desired to reduce Shuja-ud-Daulah's dominion and bring it  
under their possession, the districts of Banaras, Jaunpur  
and Bijaigarh might be leased out to him at a customary rent  
of rupees 1,70,000 per mensem, and Azamgarh, Kunda and one  
or two more districts might be added to his charge. His case<sup>4</sup>  
was highly recommended to the Governor by Shitab Rai. Major  
Munro replied to the Raja that the Sanads for these districts  
would be granted to him and that he would be allowed to retain  
the territories in question till the conclusion of the nego-  
tiation with the Wazir.<sup>5</sup>

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1. Ben.Sec.Cons., July 24, 1764, vol.II, p.425; pp.661-63;  
pp.738-756.
  2. Broome, op.cit., p.485.
  3. C.P.C., I. Nos.2468, 2472.
  4. Ibid., No.2476.
  5. Ibid., Nos. 2476, 2476A and 2477; Sel.Com.Progs.,V.,  
n.449.

Despite the clear instructions from the Calcutta authorities to have no confidence in Balwant Singh, Major Munro accepted the Raja's demands and sent him a signed and sealed agreement treating him as a partisan of the Company, whereupon the Raja agreed to pay rupees 24 lakhs yearly in the monthly instalments and to wait on the Commander-in-Chief.<sup>1</sup> "It would be very lucky", wrote Munro to the Board, "If Balwant Singh keeps his words and joins us, for if he does not, we can not move to Chunar or Allahabad unless we first defeat and drive him out, which must take time. There are no important men with force under them who might be set up against him". But Raja avoided his presence before the Commander on one pretext or the other. He had joined the English half heartedly, only when he had satisfied himself that the Emperor was perfectly under their control and there were chances of a peace with the Wazir. The council approved the terms of agreement and directed Major Munro to procure from the Emperor a Sanad of the Zamindari of Balwant Singh in the name of the Company so as to have power and authority over the Raja.<sup>2</sup>

After the Wazir's retreat from Buxar, the Emperor expressed his desire to cast in his lot with the English. He proposed that Wazir's territories should be put in his

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1. Ben. Sec. Cons., vol. II, pp. 661-663.

2. Ibid., December 6, 1764, vol. II, p. 747.

possession. Major Munro assured him that the English were firm in their allegiance and would do everything in their power to further his interest. He made him write to the Rohillas and other important chiefs not to extend<sup>d</sup> any assistance to the Wazir, as he was in rebellion against the Crown. Instructions were also issued to the Taluqdars of Awadh and Allahabad to drive Shuja-ud-Daulah out of the province. The Wazir was dismissed from the preneir's post and Mirza Akbar Shah, Emperor's younger brother was appointed<sup>1</sup> in his place. Shah Alam also executed an agreement with the English conferring upon them the districts of Ghazipur, Banaras and other Sarkars which formed the state of Balwant Singh on the same terms and rights that had been hitherto enjoyed by Shuja-ud-Daulah on condition that English would<sup>2</sup> put him in possession of the Wazir's territories.

During his stay at Banaras Major Munro had prepared his plan for the conquest of Shuja-ud-Daulah's territories. It was considered that if the fortresses of Chunar and Allahabad were taken, the backbone of Shuja-ud-Daulah would be broken and his territories would easily fall in their hand. Major Munro reached Chunar with his army. The Emperor also accompanied him.

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1. Ben.Sec.Cons., December 6, 1764, vol.II, pp.749, 737-743.

2. Ibid., December 6, 1764, vol.II, pp. 750-752; January 7, 1765, vol. III, pp. 8-9; Broome, op.cit., p.530.

Major Munro ordered a detachment to be formed under the command of Major Preamble, to lay siege to the fortress of Chunar, the commandant of which was Sidi Muhammad Bashir Khan.

Chunar, a fortress of considerable natural strength, enjoyed at that time a very high reputation. It is situated on an isolated rock, forming the extremity of a low range of hills about 150 feet high, on the right bank of the Ganges which forms a considerable angle at this point, at the direct distance of about 18 miles from Banaras. The biggest length is about 850 feet and its breadth varies from 300 to 100 feet.<sup>1</sup>

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652 The English forces erected two batteries - one against the south-west angle of the fort and the other against the east, facing the point of junction of the upper and lower forts. Munro, after his arrival, erected another battery on the north bank of the Ganges, but it did not prove effective. After a great difficulty a breach was made in one of the curtains on the south west angle. On the night fixed for the storm, a few sepoys under Captain Dow in front, followed by Cadets and European grenadiers, advanced to the foot of the hill for attack. As they began to mount, the garrison discovered their presence and collected to oppose them. There was a fire from the rampart, accompanied by huge stones thrown from the towers on either side of the breach. These big stones crushed to pieces all those on whom they fell.

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1. Broome, op.cit., p.487.



A Sergeant was killed and Captain Dow, being wounded, was thrown to the bottom of the steep, by which his skull was fractured. Their attempt was quite unsuccessful.<sup>1</sup>

Major Preamble withdrew from the storming party and prepared for a second assault which took place on the night of the 4th of December, 1764. It was also not successful due to steepness of the ascent. The result was appalling. Many Europeans were killed.

Fearing that the enemy might make a detour and attack Banaras, Major Munro broke up his encampment on the 6th of December, 1764 and returned to that city.<sup>2</sup> Shuja-ud-Daulah enraged at this invasion, started for Banaras to renew the struggle. His object was to hasten to Banaras and capture it by a coup, while the main force of English was lying in the vicinity of Chunar. Munro was well informed by his spies. As soon as he received the intelligence that Shuja-ud-Daulah had already left Allahabad and was within seventeen coss of Chunar, he returned to Banaras on the 7th of December and saved the town from a surprise attack.<sup>3</sup>

Meanwhile Major Munro handed over his command to Major Robert Fletcher on the 6th of January, 1765, and left for Calcutta, pending the arrival of John Carnac who had been reappointed with the rank of Colonel and was later given the

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1. Broome, pp. 488-489.

2. Ibid., pp. 490-91.

3. Ben.Sec.Cons., December 27, 1764, vol.II, p.78; Balwant, pp. 54-55.

title of Brigadier General on the 20th of December, 1764. To derive full benefit of the change, Shuja-ud-Daulah rapidly advanced to the north of Sheopur (5 miles north east of Banaras) in the second week of January, 1765, leaving heavy baggage and artillery near Jaunpur. But the new acting Commander displayed great vigour and activity. Balwant Singh, leaving the English army, first hastened to the defence of one of his places besieged by the Wazir's troops and then retired to his stronghold of Latifpur.<sup>1</sup>

Before the Wazir could have an opportunity of blocking his supplies, Fletcher marched to Jalalpur where Shuja-ud-Daulah and Samru were encamped. There a battle was fought. The enemy, being unable to resist the English arms, fled towards Awadh and part of their baggage fell into the hands of the English. The English army pursued them to Jaunpur, drove them from thence and took possession of the fort on January 24, 1765. Shuja-ud-Daulah retreated to Fyzabad with his family.<sup>2</sup>

After the fall of Jaunpur, expeditions were led against the fortress of Allahabad and Chunar. The Emperor then encamped at Banaras, issued direction to Ghulam Husain Khan, the Qiladar of Allahabad and Sidi Muhammad Bashir Khan, Commandant of Chunar to deliver the fortress to the English immediately after the arrival of the English forces there.<sup>3</sup>

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1. Ben.Sec.Cons., vol. III, p.35, pp.43-44; C.P.C., I, No.2555.
  2. C.P.C., I. Nos. 2570-2571.
  3. Ibid., No.2569.

Major Munro made the Emperor to write to Mirza Najaf Khan of Bundelkhand and Ahmad Khan Bangash of Farrukhabad for help, investing the one with the management of the Subah<sup>1</sup> of Awadh and the other with the subah of Allahabad. The important chiefs in the two provinces were also directed to afford no shelter to the Wazir but to drive him out without delay.

Fletcher, headed by English forces, left Banaras on the 24th of January, 1765 and arrived at Allahabad on the 30th. He was joined there by Najaf Khan who had brought<sup>2</sup> with him 400 troops.

Najaf Khan was fully acquainted with every nook and corner of the fort, where he had served many years during the Governorship of Muhammad Quli Khan. He pointed out a weak spot in the ramparts, which could easily be breached and was badly flanked. Batteries were quickly erected, the guns placed in position and after a few hours firing, the greater part of the walls were brought down. Ghulam Husain Khan, the Qiladar, alarmed at this rapid and determined proceedings offered to retreat. The fortress was occupied by the English on the 8th of January, 1765, who stationed a garrison there. The Qiladar was allowed to proceed with<sup>3</sup> his dependents and troops to join the Wazir.

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1. C.P.C., I, No.2582.

2. Ben.Sec.Cons., vol.III, pp.127-129, 158-159.

3. C.P.C., I. No. 2587; Broome, op.cit., p.505.

Fletcher deputed Major Stibbert with 300 Europeans and two battalions of sepoy<sup>1</sup>s to besiege Chunar. The Emperor and Babu Samir Singh, nephew of Raja Balwant Singh, also accompanied the force. They concentrated their attention on the weakest part of the walls of the fort and succeeded in making two breaches. This dismayed the garrison, which were much terrified on account of the rumours of Wazir's flight from Lucknow and scarcity of the provisions in the fort which remained only for 15 days. Sidi Ballal, Qiladar surrendered the fort in the morning of the 8th of February, 1765 and the same day Allahabad for<sup>2</sup> surrendered to Fletcher.

The fall of the Allahabad and Chunar fortresses dampened the spirit of Shuja-ud-Daulah and his friends. He turned a fugitive and fled here and there attended by a few men. Meanwhile Colonel Carnac, the Commander-in-Chief designate, arrived and assumed command of the army at Chunar on the 18th of February, 1765. After stationing some troops there, he proceeded to Allahabad where he proclaimed the Emperor as being in possession of the whole dominion of Shuja-ud-Daulah. The Emperor took up his residence in the fort on the 5th of March, 1765. Major Carnac proceeded to Fyzabad and took his residence in the Wazir's palace. While he was in Fyzebad, news arrived that Shuja-ud-Daulah had made an alliance with the Maratha Chief, Malhar Rao Holkar, who was about to attack

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1. C.P.C., I, No.2583.

2. Ben.Sec.Cons., vol. III, pp.130-131.

Kora with a huge army. Major Carnac left Fyzabad and hastened to Kora to check the movements of the Marathas. But the weak forces of the Marathas were scattered in a skirmish at Kora and the Wazir, reduced to extremities, threw himself<sup>1</sup> on the generosity of the British Government.

It has already been stated that the English had made Bulwant Singh their partisan by entering into an agreement and conferring him the state of Banaras on an annual payment of rupees 24 lakhs. The English also guaranteed non-interference on Shuja-ud-Daulah's part as far as the revenue was concerned. But this agreement was not approved by the Court of Directors. It was considered expedient to preserve the dominions of the Wazir as a barrier against the Marathas. Therefore, on the 16th of August, 1765, a treaty was concluded at Allahabad between Shah Alam, Shuja-ud-Daulah and the East India Company; by which the Dewani of Bengal, Bihar and Orissa<sup>was</sup> ~~were~~ handed over to the East India Company. Allahabad and Kora were reserved for the Emperor. The suzerainty of the province of Banaras was once more restored to Awadh but every precaution was taken to maintain its integrity and separate entity, under its own Raja as before.<sup>2</sup> "His Highness Shuja-ud-Dowlah engages in the most solemn manner", so runs Article 5 of the treaty of the 16th of August, 1765, to continue Bulwant Sing in the Zamindarries of Benares, Ghazepore and

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1. G.W. Forrest, Life of Lord Clive, vol. II, p.274.

2. C.U. Aitchison, A Collection of Treaties, Engagements and Sunnads, vol. II, pp.77; Report from the Select Committees of the House of Commons, V., pp.451, col.2.



all those districts he possessed at the time he came over to the late Nabob Jaffur Ally Khan and the English, on condition of his paying the same revenue as heretofore".<sup>1</sup> It was also agreed that on the 27th of November, 1765, on which date the agreement made by Balwant Singh with the English expired, the Nawab should come into possession of the territory of Banaras.<sup>2</sup>

The relations between Shuja-ud-Daulah and Balwant Singh became more strained than before. Although Balwant Singh paid his dues punctually but Shuja-ud-Daulah was hostile to him because the British protected him and Balwant Singh always avoided attending the Court of Awadh.

Before the departure of Lord Clive for England in 1767 Shuja-ud-Daulah went to meet him at Patna for the express purpose of obtaining permission to expel Balwant Singh. But Lord Clive refused and under his direction a fresh Patta or lease of the Province was given to the Raja. According to which Balwant Singh was to pay an additional sum of three lakh of rupees along with twenty and a quarter lakh as revenues to the Nawab and the Nawab was not to interfere in Balwant Singh's revenue affairs in any way.<sup>3</sup>

Lord Clive, General Carnac and other English officers affixed their signature as witnesses on the deed. An English

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1. Aitchison, op.cit., p.77.

2. Ghazipur Correspondence, vol. I, pp.16-17, Aitchison, op.cit.

3. Ibid.

Officer was posted to see that instalments of revenue were paid regularly into the Nawab's treasury. After the departure of Lord Clive, Shuja-ud-Daulah again renewed his designs against the Raja and advanced to Banaras. His warlike intentions created suspicion in the mind of the English. The new Governor John Cartier, accompanied by the Commander-in-Chief Sir Hector Munro, came to Banaras. The Nawab finding John Cartier well disposed towards him, made known his plans. He stated that Balwant Singh derived an income of sixty lakh of rupees a year from the four Sarkars and that on account of the support of the English he behaved with great contumacy towards him (Nawab) and requested Cartier to allow him to settle matters with Balwant Singh without any interference on the part of the English and promised to pay a sum of ten lakh of rupees. On this, John Cartier began to show cold shoulder to Balwant Singh and entrusted the entire affair to the Nawab's officials.<sup>1</sup> The Nawab with John Cartier's acquiescence made preparations to arrest Balwant Singh. He instructed the Daroga of artillery that when Balwant Singh would come next to visit him, he should <sup>not</sup> be allowed to be accompanied by any of his followers and should also be disarmed and brought to his audience as a prisoner.<sup>2</sup>

Accordingly, next day at the usual hour when Balwant Singh came to attend the Darbar, he noticed something in the

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1. Ghazipur Correspondence, vol. I, pp.23-24.

2. Ibid., pp.24-25.

demeanour of the Nawab's people, which excited suspicion. He atonce gave direction to his followers, Lal Khan, Dalel Khan and other officials that if any attempt was made to seize him they should revolt and carry him off. At the entrance as he was getting out of his palanquin, the Chobdar or mace-bearer acted in an unusual manner and the chamberlain came and requested him to deliver up his dagger. While Balwant Singh was withdrawing his dagger, his followers surrounded him and took him in a palanquin to the residence of Cartier. Balwant Singh threw himself at the mercy of Cartier and demanded protection. The Nawab pursued him on an elephant. The Governor directed Major Munro to take Balwant Singh's part and enquire from him the reasons of his enmity towards the Nawab. Major Munro, on enquiry, found that it was on account of Balwant Singh's loyalty to the English in the battle of Panch Pahari and Buxar that he was regarded with hatred by the Nawab.<sup>1</sup>

The Nawab demanded the surrender of his vassal but Cartier, in perplexity, directed Sir Hector Munro to take Balwant Singh's part. The Raja promised to offer ten lakh of rupees to the Governor and one lakh to the Commander-in-Chief. The Nawab was compelled to give up his designs. Balwant Singh, having achieved his objects, neglected to pay the amount he had promised to pay to the Governor. But one lakh due to Sir Hector Munro was realized from his son Chait Singh by Sir Eyrecoote.<sup>2</sup>

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1. Ibid., pp.29-31.

2. Oldham, op.cit., p.105.

In his old age Balwant Singh began to indulge in vices which impaired his health. During the last days of his life, he was unable to attend to official business. The state of the country became chaotic and rebellions began to take place in Jaunpur. While he was on his way to Jaunpur to suppress the rebellions, he fell ill. He returned to Banaras and died on August 22, 1770 in his palace at Ramnagar. Bahadur Singh Bhatnagar, the author of Yadgar-i-Bahaduri,<sup>1</sup> mentions that Balwant Singh died by a skin diseases.

### C\_H\_A\_R\_A\_C\_T\_E\_R

The success of Balwant Singh in his ambitious project was attributed to his capacity to adopt himself to the circumstances in which he was placed. His character bore resemblance to that of the Maratha Chiefs. He was hampered by none of those sentiments of honour which had often induced Rajputs and Muslims to prefer death to disgrace. He was brave and willing to fight; when fighting could be avoided, he preferred to use gold rather than steel and rarely attempted an enterprise in which success was doubtful. Cruel and vindictive towards fallen foes, he was ever willing to forgive the injuries of the powerful and in case where he could not destroy his enemies, he accepted them without hesitation as friends and allies. Under his his state did

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1. Yadgar, p.577B.

not suffer economically. "During the latter years of his life, it reached a pitch of prosperity rarely ever exceeded".<sup>1</sup>

#### EXTENT OF HIS DOMINIONS

Balwant Singh left a territory extending over ninety six parganas, of which more than half he himself had acquired. On the expulsion of Mir Rustam Ali, he received three Sarkars of Banaras, Jaunpur and Chunar with an area much diminished. Since the time of Akbar, many of the parganas of the last two Sarkars had been united to Ghazipur or to Fyzabad. He added the Parganas of Bhadohi and Kantit which were taken from Allahabad. Likewise Kera Mangraur, Bijaigarh and Agorsee-Barhar belonging formerly in the Sarkar of Rhotas in the Subah of Bihar and the twenty two parganas belonging to Ghazipur were also added.

#### ADMINISTRATION

The Zamindars of these parganas, under the Muslim rule, paid their revenue for whole of their estate to the Governor and collected from the cultivators and small land owners a much larger sum. During the time of Balwant Singh, there was no systematic plan for the settlement of the country. He realized the revenues where he thought proper and in case of rebellious Zamindars he declared the village Kuchcha and realized the revenues. In this way country remained cultivated and no loss accrued in the payment of the revenues.

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1. B.C.C., vol.118, p.46



"In his civil administration, Balwant Singh was very successful, he gave wonderful impulse to the agricultural industry of the Province"<sup>1</sup>. He was a successful administrator. During his reign people were happy. He took much pains to beautify the city of Banaras and gave patronage to the scholars, artists, craftsmen and musicians.<sup>2</sup> He carried on the administration for 60 years.

But the administration was not free from defects. Generally the Naibs used to dispose of all affairs and every year a new plan was implemented, and to achieve their own objects, the Naibs exercised no proper check or control and Mutahebs (contractors for the revenue) did whatever they pleased. Besides, this, the Zamindars of several places withdrew the best cultivated lands from the ryot and reduced the rates of their own cultivation. James Mill, the historian of British India, sums up the history of Raja Balwant Singh in these words:

"In 1764, when the war broke out between the English and the Subahdar of Oudh, Balwant Singh was Raja of Benares and, excepting the payment of an annual tribute, was almost independent of that grasping chief who mediated the reduction of Benares to the same species of dominion which exercised over the provinces of Oudh. The Raja would gladly

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1. B.C.C., Family Domains, Letters Issued, File No. 112, p. 2.

2. Yadgar, pp. 577-577A.

have seen the authority of the English substituted in Oudh for that of the Vazir, whom he had so much occasion to dread. He offered to assist them with his forces, and to anticipate all jealousy, from the idea of his aiming at independence, expressed his willingness to hold his country subject to the same obligations under them as it had sustained in the case of the Nawab, and so highly important was the service which he rendered to the Company, that the Directors expressed their sense of it in the strongest terms. When peace was concluded, the Raja was secured from the effects of the Nawab's resentment and revenue by an express article in the treaty upon which the English insisted, and the guarantee of which they solemnly undertook<sup>1</sup>".

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1. J. Mill, History of British India, vol. V., Chapter VII, p. 255.

## CHAPTER - II

### CHAIT SINGH

On the death of Raja Balwant Singh a dispute arose about the question of succession. There were three claimants for succession: Maniar Singh, Mahip Narayan Singh and Chait Singh.

The first claimant Maniar Singh was the grand-son of Daya Ram, the brother of Mansa Ram and son of Balwant Singh's first cousin.

The second claimant, Mahip Narayan Singh, who became Raja after the rebellion and flight of Chait Singh, was son of Balwant Singh's daughter, Padma Kunwar, only child by his first and principal wife, Rani Gulab Kunwar, daughter of <sup>1</sup>Bariar Singh of Pindra, sixteen miles north of Banaras.

The third claimant, Chait Singh was son of Balwant Singh. It is said that Chait Singh was not the issue of Balwant Singh's real wife but was born of one of his concubines (Janāne Khawāsān).<sup>2</sup> Balwant Singh had taken her into his house on account of her beauty.<sup>3</sup> This woman belonged to a Chandel Rajput family of Bijaigarh. Khair-ud-Din

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1. Sayyid Mazhar Hasan, Tarikh-e-Banaras, vol. I, p.366.

2. Yadgar, p. 557B.

3. Ben.Sec. Cons., October 19, 1770, p.716.

mentions in his Balwantnarah that she bore two sons to  
Balwant Singh: Chait Singh and Sujan Singh.<sup>1</sup>

Oldham also agrees with this statement and writes that  
"Cheyt Singh's mother was daughter of a Zamindar of the  
Rajpoot tribe, who occupy the Burhal Pergannah in the Bona-  
res district of which Sakuldesha is the Chief village".<sup>2</sup>

During his life time, it was the intention of Balwant  
Singh to nominate Maniar Singh as his successor but Rani  
Gulab Kunwar opposed him and pleaded for the cause of her  
own grandson, Mahip Narayan Singh, although he was too  
young to rule. However, Babu Ansan Singh, the most influen-  
tial man of the time, urged that Chait Singh was the Raja's  
son and in the presence of a son, neither a nephew nor a  
grand son had any right to succeed him.<sup>3</sup> Balwant Singh had  
to agree to his proposals.

The difference due to caste, for the Raja was a  
Brahman, had been responsible for great disputes in the  
family. The orthodox Brahmans<sup>a</sup> did not favour Chait Singh  
to succeed Balwant Singh as the Raja of Banaras. They were  
in favour of Mahip Narayan Singh, the grand son of Balwant  
Singh, whose mother was the wife of a Brahman. The matter

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1. Balwant, p.12.; Chetovilas, sl. 38, 52.

2. Oldham, op.cit., I, p.107.

3. Balwant, p.68.

was referred to the President and the Select Committee for decision. The Select Committee observed that Chait Singh was the issue of a Rajput woman, whom Balwant Singh regarded as his wife. According to the tenets of the Hindu Law, the right of inheritance descended to the male issue and not to the female issue.<sup>1</sup> Hence the succession of the Zamindari of Banaras had been settled on Chait Singh. The pretensions of the grand son were only urged by the Brahmans who were<sup>2</sup> ever partial to their own caste.

Like his father, Safdar Jang, Shuja-ud-Daula had always sought, though without success, to reduce the status of Balwant Singh and chastise him for his insubordination and direct alliance with the English, and now he welcomed the opportunity of imposing on Chait Singh stricter terms and higher annual tribute, besides customary succession fees and expressed his unwillingness to grant him the same authority as was enjoyed by the deceased. But he was afraid of English intervention and therefore requested Captain Harper to ascertain the Select Committee's sentiments on the matter, obviously because he had not yet received Cartier's letter recommending Chait Singh.<sup>3</sup> He deputed his Chief Minister, Blich Khan, to Banaras where the latter stayed for one month negotiating with the Raja's agents but no settlement was made till Shuja-ud-Daulah had deputed Captain Harper

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1. Ben.Sec.Cons., Oct. 19, 1770, p.704.

2. Ibid.

3. Ibid., Sept.4,1770, pp.390-391; Srivastava, op.cit., p.158.



to expedite the conclusion of an agreement. The Nawab demanded 20 lakh as Hazar and an increase of the revenue of 8.5 lakh per annum, while Chait Singh agreed to pay ten lakh as a nazarana and an increase of revenue of one lakh per annum.<sup>1</sup> As a result of these negotiations, terms were settled on the morning of the 8th of October that Chait Singh should pay a nazarana of seventeen lakh and an increase in the revenue of 2 lakh and a half per annum. The nazarana was to be paid in two instalments. Ten lakh were to be paid immediately and the remaining seven in twelve months.<sup>2</sup>

Chait Singh was now installed as the 'Raja' on the 10th of October with the same rights and privileges as were enjoyed by Balwant Singh and on behalf of the Wazir were bestowed upon him the customary robes of investiture, elephants and some other articles. This installation ceremony was attended by Captain Harper.<sup>3</sup>

Captain Harper wrote to the President in Select Committee on October 11, 1770, "Yesterday Cheyt Sing was fully vested with the Government of the District held by Balwant Singh and I have the happiness to acquaint you amidst the acclamation of a numerous multitude whom I have taken care to inform that this favourable change for them and the family

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1. Ben. Sec. Cons., Oct. 19, 1770, p. 716.

2. Ibid., pp. 719-720.

3. Ibid., pp. 766-767.



RAJA CHAIT SINGH

of Balwant Sing was proceeded entirely from your influence<sup>1</sup> with the vizier".

In recognition of this event, Shuja-ud-Daulah visited Banaras in February 1771. He was received at Phulpur by Chait Singh on February 8th, on whom he bestowed a robe of investiture and a turban and a sword as well as a jagir. On February 11th Shuja-ud-Daulah had a conference with General Barker on the situation arising out of the activities of the Marathas and the Rohillas and when he paid a visit to Chait Singh's capital in Ramnagar, nine days later, the Raja presented him with cash, elephants, horses, jewels and costly rare cloth. The Nawab placed his own turban on Chait Singh's head and gave him a sword at the time of departure. He left Banaras on February 21.<sup>2</sup> The Nawab Wazir was not inactive. His object was to destroy the young Raja and seize his dominions. He invited Raja Chait Singh to attend the marriage of his eldest son, Mirza Amani, at Lucknow but the young Raja excused himself on the advice of his father's counsellors, who had kept alive the family enmity.<sup>3</sup> Foiled in this attempt the Nawab Wazir lost no opportunity of showing his enmity to the Raja and encroached on his authority. In the year 1773 it became necessary for the British Government to interfere directly for the support of Chait Singh's rights and

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1. Ben. Sec. Cons., Oct. 19, 1770, pp. 766-767.

2. Srivastava, op.cit., p. 164; C.P.C., III, Nos. 639, 644 and 647.

3. <sup>Common</sup> Select Committee, V., p. 452.

interests, as secured to him by the treaty.<sup>1</sup> Warren Hastings was deputed by the Council to meet the Nawab Wazir and compel him to accept the terms of the treaty with the British in respect to Banaras and he was empowered to renew on behalf of Raja Chait Singh the stipulation which was formerly made with the Wazir in favour of his father, Balwant Singh, in consideration of his services rendered in 1764.<sup>2</sup>

Accordingly, in 1773 a meeting was arranged at Banaras between Warren Hastings and the Nawab Wazir. Both came to Banaras and stayed in the palace of Raja Chait Singh at Rannagar. Warren Hastings placed before the Nawab Wazir the proposal of the Board to exchange the zamindari of Banaras with Kora and Allahabad, which was then under the Company's rule. The Nawab rejected his proposal and on the other hand suggested that he should be permitted to dispossess Raja Chait Singh of his hill fortress of Latifpur and Baijalgarh and to enhance the revenue by Rs. ten lakh. Hastings refused to accede to the proposal.<sup>3</sup> On the other hand he insisted that all the advantages, which had been secured to Balwant Singh and confirmed by the Nawab's own deed to Chait Singh, should be preserved, and expressed his opinion about the faith of the Wazir and the independence of the Raja, in the following words:

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- <sup>Common's</sup>  
1. Select Committee, V., p. 484 (Supplement).  
2. Ibid.  
3. Ben. Sec. Cons., Oct. 4, 1773, Cons. No. 2, p. 540.

"I am well convinced that the Raja's inheritances and perhaps his life are no longer safe than while he enjoys the Company's protection which is his due by that ties of justice and the obligation of public faith and which policy enjoins us to afford him ever most effectually. His country is a strong barrier to ours without subjecting us to any expense and we may depend upon him as a sure ally whenever we may stand in need of his services". It was established accordingly that "no increase<sup>1</sup> of revenue should ever thereafter be demanded."

The firm attitude taken up by Warren Hastings resulted in the execution of the 'Kaulanamah' by Shuja-ud-Daulah in favour of Chait Singh. This was executed in the presence of Warren Hastings. In his letter of the 6th September, 1773, Hastings wrote to the Court of Directors, "The Cowlname was executed in my presence and attested by me. The Vizier desired that the stipulation made in favour of the Rajah might be executed in this mode rather than an article in the treaty, and it was equally satisfactory to the Rajah. I must remark that he had already given the Raja a Cowlname of this tenor, soon after the death of Balwant Singh, through the solicitation of Captain Harper, by the orders of the Select Committee. He would therefore have reasonable plea<sup>2</sup> to refuse the confirmation of it".

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1. Ben. Sec. Cons., op.cit., p.548.

2. Ibid., pp. 547-548.



The following are the instruments, referred to above, executed in the manner just related:

"The affairs of the Zemindarry and Tahud of the Sircar of Benares and the Sircar Chunarah and of the Mehals of Jounpore, Bejeypoor, Buddohy, Sakkesegurth, Mulboos Khaus, Sircar Ghazipur, Suckinderpore, Kerced Shadheyabad and Toppen Serinch etc. which were under the charge of Rajah Balwant Singh deceased, I do hereby grant and confirm unto you, upon their former footing. It is necessary that after deducting the nankar and half of the jaghier of Buddohy, you monthly and annually pay into the treasury of Sircar the established and stated payments. By the favour of God, whatever is promotive of your honour shall be performed and exclusive of the jumma specified in the Kabboleat of the present Fusselly year 1178, no increase shall ever hereafter be demanded, and if you remain firm and steady in your obedience and in the payment of your rents, no harm shall by any means happen to your ryots or country. By the word of God, and of the Holy Coran, and of the blessed Imams, this agreement is made between me and my heirs, and you and your heirs, and it shall never be deviated from<sup>1</sup>".

Warren Hastings, in his Narrative of the Affairs of Banaras, mentions this transaction as follows:

"His son Cheit Sing obtained from our influence exerted by myself the first legal title that his family ever

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1. Ben. Sec. Cons., Oct. 4, 1773, Cons. 2, pp. 568-569.

possessed of property in the land of which he till then was only the amil, and of which he became the acknowledged Zameedar, by a Sunnud granted to him by Nabob Shuja-ud-Dowlah at my instance in the month of September 1773".<sup>1</sup>

In April, 1774, the Nawab issued a ~~tankhah~~ or ~~parwana~~ for advance payment of revenues of Rs. 5 lakh against Raja Chait Singh which he paid in full.<sup>2</sup> In October, 1774 Nawab issued another ~~tankhah~~ of Rs. 6 lakh to Raja Chait Singh. He represented the matter to the Company and paid with great reluctance when he was assured by the Company that no more ~~tankhah~~<sup>3</sup> would be issued by the Nawab in future.

Shuja-ud-Daulah died in 1775 and was succeeded by his eldest son Asaf-ud-Daulah. The new Nawab also pursued the policy of his father and tried to extort money from Chait Singh beyond the amount of his annual tribute as fixed by the treaty. He issued a draft of Rs. 5 lakh in favour of Blich Khan, Chief Minister of the Nawab and he had drawn a ~~tankhah~~ of Rs. 6 lakh against the Banaras tribute,<sup>4</sup> although all arrears had been paid, to meet the demand of the Company on account of Rohilla War. Raja Chait Singh resented bitterly and complained to the Governor General

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1. W. Hastings, A Narrative of Insurrection which happened in the Zemedyary of Benares, p.8.
  2. Ben. Sec. Cons., March 30, 1775, Cons. 2, p. 332.
  3. Ibid., p. 554.
  4. <sup>Common's</sup> Select Committee, V., p. 459; C.P.C., IV., Nos. 94-96; Calender of Indian State Papers, IV, p. 89.

through his yakil. The Governor General directed Bristow, the Resident at Lucknow, to remonstrate with the Nawab on the exactions from Raja Chait Singh and informed him, "The Rajah had been induced to pay the first tankhwa<sup>1</sup> of five lakhs with great difficulty and did it solely to avoid altercation. That he would not by a repetition establish a precedent disadvantageous to himself and country to the letter of the treaty".<sup>1</sup> The Resident was further to remonstrate that a distinction must be made between the Raja and the Zamindar of Awadh, as Raja Chait Singh had been guaranteed by a treaty an independent authority, subject only to the payment of the tribute.<sup>2</sup> As such "Raja Chait Singh was to be considered in this light and he must expect to see him protected, for that he was not to be put upon a footing with his other Zamindars".<sup>3</sup> Bristow had returned the tankhwa for Rs. 5 lakh, which the Nawab had given in advance on Chait Singh's tribute. The Nawab Wazir gave an understanding that no more drafts would be drawn in future and requested to retain the tankhwa until it became due and promised that balance would be paid within eight or ten days.<sup>4</sup>

Bristow was most foresighted and intelligent resident. He exploited the weaknesses of Asaf-ud-Daulah who used to

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Common's

1. Select Committee, op.cit.
2. Ibid.
3. Ibid.
4. Ibid.

lead luxurious life. He developed friendship with Mukhtar-  
ud-Daulah, <sup>1</sup> Madar-ul-Mahan of Asaf-ud-Daulah and induced him  
to persuade Asaf-ud-Daulah to cede the sovereignty of Banaras  
to East India Company which would result in strengthening the  
ties of friendship between the two. Mukhtar-ud-Daulah, being  
not very astute, did not understand the implications of the  
above proposal and made Asaf-ud-Daulah to agree to it. <sup>2</sup> On  
May 21, 1775, the treaty of Lucknow was signed between Asaf-  
ud-Daulah (the Nawab Wazir) and the East India Company by  
which the Nawab agreed to cede to the Company the districts  
dependent on Raja Chait Singh together with the land and  
water duties and the sovereignty of the said districts in  
perpetuity. <sup>3</sup> The President in Council was informed, "It is  
now with the greatest satisfaction we can inform you that the  
Nawab Asaf-ud-Daulah has consented fully, and totally to the  
terms we proposed for a new treaty with him. The treaty was  
fully adjusted between the Nawab and the Resident at this  
court on the 21st May last". <sup>4</sup> This wise forethought of Bristol

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1. Abu Talib Tafzi-bul-Ghafilin, (A contemporary history of Asaf-ud-Daulah, p.1. It must be remembered that at the time of the death of Shuja-ud-Daulah, there were his three sons, who enjoyed a recognized position in the public eye. The eldest of them was Mirza Amani Asaf-ud-Daulah born of the Nawab Begam who was declared heir apparent during his father's life time and had held a separate sarkar like his father. The management of the sarkar and the correspondence between the father and son, had been entrusted to Sayed Murtaza Khan, who eventually became Mukhtar-ud-Daulah. Mukhtar-ud-Daulah was one of the retainers of the Nawab Wazir's family.

2. Yadgar, p.557B

3. Aitchison, op.cit., II, pp.86-89.

4. Home Pub. Letters from Court, Aug. 28, 1782, para 44, p.147.

was very much appreciated in England. The sovereignty, which was so transferred, could be and was no more than such sovereignty as the ruler of Awadh himself possessed and the transfer did not affect any diminution of Raja Chait Singh's rights and status.

In forming a new treaty, it was deemed utmost important to provide for the security of the Banaras province. The Resident in Council resolved, "The Rajah of Banaras, from the situation of his country, which is a frontier both to the Province of Oude and Behar may be made a serviceable ally to the Company, whenever their affairs shall require it. He has always been considered in this light both by the Company and the successive members of the late Council; but to ensure his attachment to the Company his interest must be connected with it, which cannot be better affected than freeing him totally from the remain of his present vassalage, under the guarantee and protection of the Company and at the same time guarding him against any apprehension from this Government by thus pledging its faith, and no encroachment shall ever be made on his rights by the Company".<sup>1</sup> When the sanada for the Raja were ready for signature, a question arose whether these instruments were to be regarded as mere zamindari sanada or as a treaty, and whether Banaras sanad and kaulanama for the territory

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1. Home Pub., op.cit.



granted to Raja Chaht Singh should be signed by the Governor General only or by the whole council. It was a convention that merely a Zamindari sanad<sup>1</sup> was to be signed by the Governor General only. But as the nature of the present grant was different, the Governor General considered it in the light of a treaty between the Company and the Raja and therefore it was put up by him on the 13th of February, 1775, before the members of the Council for signature, as it was required in all other treaties. It was ruled out that this was a treaty and the document, therefore, received the signature of the Governor General and all the Members of the Council.<sup>2</sup>

Now it became necessary to determine in which manner the administration of these territorial rights should be exercised by Chaht Singh. The Governor General then proposed the following questions, "whether it shall be made a condition of the new treaty that Rajah Cheyt Sing shall exercise a free and independent authority in his own dominions, subject only to the payment of his tributes". The question was resolved in the affirmative.<sup>3</sup>

The Governor General then proposed, "whether it shall be made an article in the treaty that the consideration of

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1. Home Pub., op.cit., p.148.

2. Ben.Sec.Cons., Sept.4, 1775, Cons.Mos. 3-7, pp.2265-2271.

3. Home Pub., Letter From Court, Aug.28, 1782, para 46, p.148.

the engagement to be entered into by this Government to guarantee the possession of Nawab of Oude as before resolved, he shall cede and make over to the Company the whole or any part of the tribute from the Zamindar of Gauzipore". Francis stated, "I consider the cession to the Company of the whole tribute paid by the Zamindar of Gauzipore to the late Nawab as the first and most essential condition of the Treaty with the present Nawab. The advantages gained by the Zamindar will also be considerable, as it has always been my opinion that this authority in his own government should be left free and uncontrolled, as long as this advantage is preserved to him, he must consider it as his interest to be the tributary of the Company rather than of the Nawab".<sup>1</sup>

Every preliminary being settled with the Wazir and the treaty executed, the Governor General on the 12th of June, 1775, laid before the Board <sup>a</sup> minute with his observations respecting the arrangement to be made with Raja Chait Singh which was beneficial to the Company without any encroachment on the rights of the Raja or engagement actually subsisting with him. The following were the proposals:

The Raja was to pay yearly tribute of <sup>2</sup> ~~Sauwat~~ <sup>Rs.</sup> 22,449/- in the monthly instalments into the Patna treasury.

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1. Commons Committee, V., p.284.
  2. Sauwat rupees which have been current more than one year; old coin current at depreciated rate after a certain number of years. (Index to Land Revenue Records, N.A.I.).

which was settled with the late Nawab Shuja-ud-Daulah on the 6th of September, 1773.

That the Raja was to exercise complete and uncontro-  
lled authority over his Zamindari in the collection of  
revenue and administration of justice under the acknowl-  
edged sovereignty of the Company.

That the Raja was to appoint the officers to the  
Kotwali and Mint of Banaras, the latter being subject to  
the orders and regulations of the Governor General in  
Council.

That the Raja, as a Vassal of the Company, was to  
maintain a body of 2000 horsemen available at all times for  
the service of the company provided that during such period  
an extra monthly remuneration of Rs.15/- was to be paid to  
each soldier and proportional sums to the officers.

That the Raja would continue to be faithful to these  
engagements and punctual in his payment of tributes and  
observe due obedience to the authority of the Government.<sup>that</sup>  
No more demand would be made upon him by the Company of any  
kind under any pretence whatsoever nor would anyone be  
allowed to interfere with his authority or disturb the  
peace of his country.<sup>1</sup>

At the conclusion of this Minute, the Governor-General  
observed, "That voluntary restraint laid by the Government

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1. Home Pub., Letter from Court, August 28, 1782, para  
47, p.149.

on its own actions will afford the Rajah the greatest confidence and naturally inspire him with sentiments of fidelity and attachment, both from the principles of gratitude and self interest, without some such appearance he will expect, with every change of Government, additional demand to be made upon him, and will of course, descend to all the arts of intrigue and concealment practised by other dependent Rajahas, which will keep him indigent and weak and eventually prove hurtful to the Company. By proper encouragement and protections he may prove a profitable dependent, a useful barrier and even a powerful ally to the Company; but he will be neither if the conditions of his connections with the Company are left upon to future variations".<sup>1</sup>

On the 5th of July, the Board agreed to the above proposals of the Governor General excepting the article to oblige Raja Chait Singh to keep a body of 2000 horse; they resolved indeed to recommend the same to him but declared that there would be no obligation on his part to do so.<sup>2</sup>

On April 15, 1776, a sanad was granted to Chait Singh with the following instruments:

That the Raja was forbidden to enter into any alliance or engagement with any foreign prince under the penalty of forfeiting his zamindari.

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1. Home.Pub., op.cit., p.150.

2. Ibid.

That it was not the object of the Council to increase his tribute but to require from him the exact sums to be paid at Calcutta instead of at Banaras, as he had been paying to the late Nawab Wazir Shuja-ud-Daulah, in addition to the sum fixed for the grant of mint and kotwali. A suitable deduction was to be allowed for the expense and risk involved in transport.

That the Council had decided to leave him free and uncontrolled in the management of the internal Government of his country and collection and regulation of the revenues.

That the Council had recommended him to maintain a body of 2000 horse, disciplined after the European fashion and make them available for the service of the country, but at the same time the Council had also declared that there would be no obligation on him to do so.

That the Raja was to prevent Europeans, particularly foreigners, from travelling through his districts without passports from this Government.

By the above sanad, the Raja was confirmed in the Zamindari (Revenue), amini (Civil), and the fauidari (Criminal) of the cities of Jaunpur and Banaras and the mint of Banaras, custom duties and a number of monopolies on condition of the payment of a tribute of 23,40,249 Banaras Machchlidar rupees or 22,65,180 Calcutta Sicca rupees to the

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1. See "Coinage System in the Province of Banaras", Appendix 'A'.



Company's treasury. If he was to pay the above revenue at Banaras, he would pay the sum of 23,40,249 Banaras Machchalidar rupees, each rupee to weigh ten masha and to contain two rattis and 2 chawals of alloy. If the revenue was not to be paid at Banaras, the Raja would remit the annual amount of 22,66,180 sicca rupees, as agreed in qists i.e. by monthly instalments, to Calcutta in consideration of which he was allowed a deduction of 2 per cent which amounted to 22,21,745-1-15 in Calcutta Sicca rupees,<sup>1</sup> which he was to pay at that place. The rates of customs duties were also fixed on articles, such as broad cloth, iron, lead, copper, cotton, silk, spices, and <sup>betel</sup> ~~beetle~~ nuts.<sup>2</sup>

It is revealed from the letter of Shambhu Nath,<sup>3</sup> a yakil of Raja Chait Singh, posted at Calcutta, that the Governor General intended to appoint his own officer to the command of the Raja's forces, but being opposed by Francis Fowke he had to give up the idea. The Governor General became displeased with Francis Fowke, as he took keen interest in the affairs of the Raja and prohibited

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1. B.R.C., Dec., 1789, pp.5-6; (100 Banaras Machchalidar Sicca rupees were equivalent to 92 Calcutta Sicca rupees.)
  2. Home Pub., Letter from Court, Aug. 28, 1782, para 50, p.152; Aitchison, op.cit., pp.45-48.
  3. Shambhu Nath belonged to village Bhuilli in Tahsil Chunar. He was selected by Raja Chait Singh, on the advice of Bhai Ram, a confidential yakil of the Raja, for a secret mission to Calcutta.

Hulasi Ram, Raja's yakil from attending his darbar. The Governor General also suspected that Francis Fowke was supporting the cause of the Raja and helping Hulasi Ram in the transaction of his business, and also advising him to go on acting in his own way. Fowke's strength was further increased, as Wheeler had also joined his party. The latter expected a bribe from the Raja in order to support his cause. But he did not like to break openly with the Governor General. Munshi Sadr-ud-Din, who exercised a great influence on the Governor General, was a staunch partisan of the Raja.<sup>1</sup>

On December 2, 1776, Fowke was called back and the Governor General in Council wrote to him, "The object proposed by his appointment to proceed to Benares being now accomplished, we have thought it necessary to annul the commission which was given to you for that purpose. We direct, therefore, that you return to the Presidency immediately, on receipt of this".<sup>2</sup> On December 23, 1776, Thomas Graham was appointed as the Resident of Banaras on salary of Rs. 600/- per mensem "for the purpose of transacting any occasional business which may arise between the Government and Raja Cheyt Sing. Mr. Barwell was nominated as his assistant".<sup>3</sup> Graham was expert in mixing water with

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1. C.P.V., V., No. 854.

2. Parkes and Merivale, Life of Francis Fowke, II, pp. 72-73.

3. B.R.C., Dec. 23, 1776, vol. II, pp. 2-3.

milk and artful and adept in spoiling the affairs of others. He began to humiliate Raja Chait Singh in various ways. By this time Babu Ansan Singh, who had already received from Hastings a doshala and assurance and encouragement, returned to Banaras from Murshidabad<sup>1</sup> and much against his wishes the Raja was directed to grant him a jagir yielding an annual income of 50,000 rupees for his maintenance. It appears that Messrs. Graham and Barwell advised the Raja to grant Jaunpur to him but the Raja did not agree with their proposals. After some discussions between them and the Raja, it was decided that Saidpur be settled on him and that out of the gross annual income of Rs. 65,000, he would be required to pay Rs. 15,000 to the Raja and retaining Rs. 50,000 for his own use. Messrs. Graham and Barwell also caused Ansan Singh to execute a razinama that during his life time he would never be lacking in the duties of fidelity and zeal to the Raja and would be guilty of no improper action or attempt to deceive him openly or secretly. "He shall regard the Raja's enemies as his enemies and will not breathe a word against his

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1. Balwant. Babu Ansan Singh was one of the most influential person of Banaras. He had been Dewan of Raja Balwant Singh. After the death of Raja Balwant Singh, it was through the judicious measures adopted by him that the succession was secured for Raja Chait Singh. He was afterwards dismissed from his office and obliged to flee for his life by Raja Chait Singh when he morally offended by refusing to eat with him or admit him to caste equality on account of illegitimacy of his birth. He was taken under the protection and patronage of Warren Hastings at Murshidabad, who was at that time bent upon destruction of Chait Singh (Balwant, pp. 71-74; C.P.C., VII, No. 282).

pleasure<sup>1</sup>. Raja wanted to win the goodwill of the Governor General. So as soon as he learnt from Barwell that the Governor General was not pleased with Bhai Ram, his yakil, he dismissed Bhai Ram much against his wishes to please the Governor General.<sup>2</sup> But the Resident harassed the Raja by appointing Chet Ram, chobdar, a dismissed servant of the Raja as his news messenger.

The Resident sent exaggerated reports to the Governor General about the Raja's riches and wealth stored in his fortresses. He used to depute exacting agents to harass the Raja on the plea of delay in the payment of his dues.<sup>3</sup>

In 1778, a war broke out between England and France. It became necessary for the Company's Government to make additional preparations for defence. Therefore, it was decided to call upon Chait Singh to contribute to the object and he was required to consent to the establishment of three battalions of sepoys to be raised and maintained at his expense until the war was over.<sup>4</sup> The Governor General computed that the amount of three battalions of sepoys on double batta exclusive of tents, arms and contingent charges, would amount to four lakh and seventy six thousand rupees. On these grounds he moved that the subsidy to be paid by

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1. C.P.C., V., No.834(1).

2. Ibid., No.825; Balwant, p.86.

3. Yadgar, p.577B.

4. Sec.Sel.Com., July 9, 1778, vol. II, p.638.

the Raja for the maintenance of three battalions of sepoy during the course of war was fixed <sup>1</sup> at the annual sum of five lakh of Machhalidar rupees and that he was immediately required to pay the sum to Graham.

When the question of payment of the additional demand was put up before the Council for its consideration, Francis and Wheeler gave their assent in its favour. Now there was no alternative left before the Raja except to make the <sup>2</sup> payment of the demand.

The Raja sent his yakil, Shaikh Ali Naqi, to Calcutta with the request that "the Rajah was at all times ready to pay obedience to the Commands of the Government and to afford every proof of his attachment to the Company, and that the Rajah has authorized him to declare his acquiescence in the requisition of a subsidy equal to the expense of three battalions of sepoy for the service of the war, but for <sup>3</sup> only a period of one year". Accordingly the Governor General in Council directed Graham to receive the amount <sup>4</sup> and remit it to the Presidency".

Graham demanded the subsidy of Rs. 5 lakh but Chait <sup>5</sup> Singh promised to remit the amount in instalments. On this

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1. Forrest, op.cit., p.656.

2. Ibid., p.657.

3. Sec. Sel. Com., July 9, 1778, vol. II, p.637.

4. ~~Commons~~ <sup>Commons</sup> Committee, V., p.454.

5. Ibid., p.457.



Graham wrote to the Governor General, on September 15, 1778, "Rajah has not paid one rupee and offers as reason his inability to discharge the whole at once and requests me to receive it by monthly instalments"<sup>1</sup>.

Raja Chait Singh also sent a petition to the Governor General direct on September 28, 1778, expressing his inability to remit the subsidy at a time. He wrote that owing to his financial distress caused by the extortions of the Nazir, he was not in a position to pay such a heavy sum at once. But with a view to comply with his orders, he would sell and pledge all his belongings and pay the required sum of money by instalments in six or seven months. He also requested that officers should be directed to accept the instalments in <sup>Samvat</sup> ~~sanat~~ species, for he was unable to procure such a heavy amount in Machhalidar rupees.<sup>2</sup>

The Governor General, after full consideration of the Raja's letter of request, was of opinion that the sum of five lakh of rupees was not excessive and required that it should be paid without delay, as the Raja was able as a sovereign and independent authority to pay not only the sum demanded but ten times more"<sup>3</sup>. Graham was directed to assume a threatening term and recover the amount within

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Common's

1. ~~Select~~ Committee, V., p.457.
2. C.P.C., V., No.1106; Select Committee,V, p.465.
3. Ibid.

five days and inform the Raja that his refusal or neglect to complete the payment within that time would be deemed equivalent to an absolute refusal.

In consequence of these peremptory orders the Raja paid rupees fifty thousand to Graham in cash and remitted the balance of rupees four lakh and fifty thousand by a bill through his wakil <sup>1</sup> Shaikh Ali Naqi.

On January 1, 1779, it was reported to Chait Singh that Thomas Graham was likely to visit Banaras with a view to creating mischief and Shaikh Ali Naqi had also informed him that some of the members of the Council were not favourably disposed towards him. Therefore, it would be necessary for him to be on his guard. Conformably to the advice of Shaikh Ali Naqi, it was decided that the Raja should go to Latifpur and Bijaigarh and strengthen the different strategic positions. Babu Subhan Singh, a close associate of the Raja, should be sent to Chhabisgarh for digging up entrenchments and repairing the fortifications where necessary and when Graham should arrive with bad intentions, the Raja would excite a commotion in the country and then retire to the hills and from there he would negotiate. At this point Ghulam Husain Khan interposed and said that Babu Ausan Singh, with whose aid Graham intended to carry out his designs against the country, should be killed first, and that matters would be settled with Graham later. Ghulam Husain

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Commons

1. Ibid., No. 1194; ~~Secret~~ Committee, V., p. 462.<sup>7</sup>

Khan further suggested that Mirza Babur Ali Beg, an associate of the Raja, should go and persuade Ausan Singh to return to the country so that proposed plan against him might be executed.<sup>1</sup>

Babu Subhan Singh was sent to the pargana of Chhat<sup>ee</sup>isgarh to make the necessary arrangements and the Raja reached Latifpur in the mid-night of January 3rd. On the 4th of January, he left for Bijaugarh accompanied by Bhagat Ji, Ghulam Musain Khan, Faizullah Beg, Bal Kishan Hazari and several pyadas (peons). He stayed there for a day or two. When he was about to leave Bijaugarh for Agori, he received a letter from Bhai Ram informing that the latter was coming to consult him on some important matters. So he stayed there for sometime and resumed his journey after he had met Bhai Ram.<sup>2</sup>

At the time of his departure, the Raja summoned his associates Jagdeo Singh, Zalim Singh, Diljit Singh and the son of Ramroch and directed them to go back to their parganas which were close to the residence of Ausan Singh and to pick up a quarrel with the latter on some pretence and kill him, as his death would bring peace to the country. They undertook to accomplish the task with the assistance of 100 horsemen and 200 muskets.

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1. Ibid., No.1336(1); Ghulam Musain Khan, son of Himmat Khan, was well versed in music and literature and a trusted courtier of Balwant Singh. He was a confidential counsellor of Chait Singh, whom he did not desert even during the period of his exile and misfortune. His famous work is Tarikh-i-Banaras (Askari, Sayed Hasan, Chait Singh and Hastings, I.R.R.C., vol. XX, part I, Hyderabad, Session 1954).

As the Raja was leaving for Ramnagar, Ram Chand Sahu brought a letter from Shaikh Ali Naqi, intimating that he had secretly taken service under Francis, who was shortly expected to become the first Member in the Council and was disposed kindly towards him (Shaikh Ali Naqi). So Raja should set his mind at ease and engage himself in repairing the fortifications. He further reported that as soon as General Sir Eyre Coote, arrived at Calcutta and had taken his seat in the Council, all the affairs of the Raja would be satisfactorily settled. The Raja should carefully preserve the vouchers of those who had extorted money from him so that complaint might be lodged against them before the Governor General. The Raja must not entertain any fear on account of Graham's visit. He was powerless to do him  
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any harm.

On July 13, 1779, the Governor General thought it necessary to repeat the demand for fresh subsidy of five lakh of rupees from the Raja to meet the expenses of war, which was still continuing and wrote to the Resident at Banaras, "The period of one year for which the Rajah contributed the sum of five lakhs mucchhalidar rupees, as his proportion of the war with France for the last year being expired and the war still continuing, we found it necessary to maintain for the same force and to require that Rajah Choyt Sing shall be at his share of the expense, we therefore, direct that you demand from him payment of the above

sum as his proportion of the charge for the current year and remit the amount to us".<sup>1</sup> On August 16, 1779, Graham wrote to the Governor General, "I waited upon the Raja. He then gave me for answer that he had not the ability to discharge the demand".<sup>2</sup> The Raja also impressed upon the Governor General<sup>earlier</sup> on August 2, 1779, his inability to remit this subsidy and requested the Governor General that rupees five lakh were contributed last year on the understanding that no further sum would be demanded from him. It was only by loans that he had then succeeded in collecting the required sum of money. The repetition of this demand was too much for his meagre income. Therefore, he should be exempted from the payment of further contribution.<sup>3</sup>

In reply to the above request, Governor General in Council wrote to the Raja that he was surprized that the Raja would shirk payment and plead poverty instead of promptly paying the subsidy of five lakh of rupees demanded from him, as his contribution to the defence of the country. His intention appeared to evade the payment altogether. If he refused the payment, he would realize the gravity of the situation and Graham was directed to requisition military aid in case of non-compliance.<sup>4</sup>

The Governor General took up the matter with high handedness and requested the Council on Sept. 29, 1779, to direct the Commander-in-chief to issue an order to Major Camac for the march of two battalions of sepoys stationed at Dinapur to<sup>Banaras</sup>

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- <sup>Commons</sup>  
1. ~~Forrest~~ Committee, V., p. 462.  
2. Ibid., p. 469.  
3. Forrest, op.cit., II, p. 684.  
4. Ibid., p. 471.



to coerce the Raja for the payment of the subsidy. Consequently the troops reached Ramnagar under the command of Captain Crabb, looted the town and took position near the fort. The Raja then paid the subsidy of Rs. 5 lakh and Rs. 20,000 in addition, as penalty towards the expenses of troops<sup>1</sup> marched for the realization of the subsidy.

The proceedings of the third year differed little from those of the second year. The period of two years, for each of which Raja Chait Singh contributed the sum of rupees five lakh of Machhalider rupees as his share of the burden of the war with France, had nearly expired. But the war was still continuing and the Company feared an attack from the Nizam and Marathas. It was thought necessary to maintain some force. Thus the Raja was asked on June 22, 1780, to furnish a sum of Rs. 5 lakh and a cavalry force of 2,000.<sup>2</sup>

In reply to the above demand, Raja Chait Singh explained his poverty and wrote to the Governor General in Council on August 1, 1780, "I have sold my house and borrowed sums of money from which I am not yet released, yet in obedience to your orders I have paid one lac of rupees out of five lacs to Mr. Fowke and shall pay the other four in three months".<sup>3</sup> He sent repeated letters drawing the attention

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Commons

1. ~~Committee~~ Committee, V., p.473.
2. Forrest, op.cit., III, pp.733-734.
3. Ibid; Hastings, op.cit., p.73.

of the Governor General towards his unhappy circumstances, but he was not favoured with any reply. He then sent Sadanand, his bakshi, to lay before him the particulars of his situation that he had never deviated in the least from his obedience and attachment to him and readily complied with his orders. With a reply to the Governor General's letter, he also sent one lakh of rupees and later through Mr. Fowke, he remitted one lakh and seventy thousand rupees more. After this he requested the Governor General to give him a little time for the payment of the balance. To this he received no reply. But as there was no time for delay, he was not for a moment inattentive to this business. As soon as his bakshi returned from Calcutta, he paid the <sup>1</sup> remaining amount.

As regards the supply of cavalry, he informed that he had only 1300 horsemen in his service and in obedience to his orders of supply of 1000 horsemen received through Mr. Markham, he collected at once 500 horsemen and as a substitute for the remainder, he raised 500 bargandazs. He informed the Governor General and Markham that they were ready to go to whatever place they should be sent. But he received no instruction from the Governor General about this, nor could <sup>2</sup> an enquiry from Markham elicit the reason of his silence. He was also asked to station two companies of sepoy and to

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1. Sec. Sel. Com; Aug. 15, 1781, III pp. 783-784.

2. Ibid.

grant tankhwah (salary) for the disbursement of their pay. He complied also with this demand.

In reply to the above letter, the Governor General wrote to the Raja that bakshi Sadanand came to Calcutta with assurance of Raja's fidelity to the Company. He (Governor General) demanded from him a subsidy of five lakh for the expense of the war with the Marathas. The bakshi promised to pay the sum and the Raja confirmed this in writing. Trusting upon their words, he (Governor General) gave orders to Fowke, the Resident at Banaras, to receive the amount and remit it to Col. Camac for meeting the expenses of the army that had been ordered to proceed towards Malwa.<sup>1</sup> The Raja paid a small sum as a first instalment and withheld the balance. The result was that the army could not be paid in time and was completely disorganised. Similarly, under instructions from the Governor General, Fowke asked the Raja to furnish a body of horse to assist and act with the Company's army, but the Raja failed to comply.<sup>2</sup> When Markham, the successor of Fowke, repeated the demand asking him for fifteen hundred horses and later reducing the number to <sup>two</sup> one thousand, the Raja still remained indifferent.<sup>3</sup>

It appears that the Governor General was at this time displeased with the Raja for alleged want of punctuality

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1. C.P.C., VI, No. 209; Forrest, op.cit., p.783.<sup>4</sup>

2. ~~Sadanand~~ Commons Committee, V., p.478; C.P.C., VI, p.209.

3. Ibid.

in the payment of his tribute as it fell due and the Governor General addressed a remonstrance to the Raja and peremptorily demanded the payment of all arrears of whatsoever kind within twenty four hours after the receipt of his letter by the Raja. The Raja did not comply with the above orders which became fresh cause of irritation. Shortly afterwards the time arrived for demanding the fourth year's subsidy.

Bahadur Singh Bhatnagar, the author of Yadgar-i-Bahaduri, mentions that one Maulavi Asghar Ali, resident of Nagina, managed to secure an employment in Raja Chait Singh's palace. He was so much prone to intrigues that he caused dissensions among the officials of the palace and won the favour of the Raja. Being his favourite, Maulavi Asghar Ali began to interfere in his all official transactions. One day the Raja, being annoyed, removed him from service.

Maulavi Asghar Ali, being an opportunist, did not remain silent. He developed friendship with Ausan Singh and Gaj Singh, <sup>cousin</sup> son of Mahip Narayan Singh, who were against the Raja. All these jointly made concerted efforts to overthrow the Raja and create disturbances in his country.

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Maulavi Asghar Ali left the Calcutta and made a complaint to the Governor General against Chait Singh for non-payment of the rent regularly. But the Governor

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1. Yadgar, p.577B.

General did not believe it. Chet Ram, who was more cunning than Maulavi Asghar Ali, was employed as a chobdar in Raja's service but the Raja removed him for his indecent behaviour. Being enraged, he went to Calcutta and also joined the camp of the Governor General who employed him as a chobdar.<sup>1</sup>

After some time Gaj Singh and Bariar Singh, Raja's cousins, falsely reported to the Governor General that Chait Singh had accumulated five crore of rupees and vast quantity of weapons to exterminate the English power from Calcutta, and extend his dominion from Banaras to Calcutta. They also convinced him that the Raja had concealed huge treasures in his fortresses.<sup>2</sup> Now Hastings was determined to plunder Chait Singh and for that end to pick a quarrel with him.

On the 21st of May, 1781, Hastings proposed to the Board that he should visit Awadh in order to have an interview with the Nawab, whose province had fallen into a state of great disorder and confusion. He also stated that he desired to take advantage of his visit to Awadh to conclude negotiations with the Raja of Banaras. At this time the Council consisted of only two members - Wheeler and Hastings- and as the latter had the casting vote, the request was only formal.<sup>3</sup>

Before starting for Awadh, Hastings informed Wheeler and others that he intended to inflict on Raja a fine of fifty lakh of rupees, a punishment which would at the same time meet the measures of his offence, diminish his power

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1. Yadgar, p. 57B.

(2) Ibid.



for every intrigue and supply the urgent and pressing wants of the Government for money. He proposed even in the event of Chait Singh's refusal to pay the fine, either to depose him or to make over his country to the Nawab Wazir of Awadh. He decided to make "him pay largely for his pardon, to exact a severe vengeance for his delinquency, and to draw from his guilt the means of relief to the Company's distress"<sup>1</sup>. Having secured the consent of his co-adjutors, the Governor General set out from Calcutta for Banaras enroute to Lucknow on July 7th. Chait Singh received him at Buxar with a large fleet of boats in the hope of softening the heart of the Governor General. Although the Governor General did not want to meet him but out of courtesy he gave interviews.<sup>2</sup> Several interviews took place between the Raja and the Governor General and in one of his interviews the former even placed his turban on Hastings's lap. But no such display of real or seeming contrition could now turn the latter aside from his fixed purpose.

The Governor General, however, continued to prosecute his journey to Banaras where he arrived on August 14th. He had taken up his residence in a house known as the "Garden of Madho Das" and there were with him some thirty English officials and his body-guards consisting of about 50 sepoys. After reaching Banaras the first act of Warren Hastings was

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1. Sec. Sel. Com, Sept. 4, 1781, III, p. 789; Hastings, op.cit., p. 9.

2. Murtaza Husain, Madinat-ul-Accalia, p. 126.

to decline personal interviews to the Raja and transmit a paper recapitulating the various occasions on which he informed him that the danger to which the detachment of Colonel Camac was exposed, was due to his non-payment of subsidy of 1780, which he had promised to do. He added, "Besides this, I required, in the name of the Governor General and Council by letter and ordered Mr. Fowke to repeat the requisition in person, that you should furnish a body of horse to assist and act with the armies of the Company; and when Mr. Markham succeeded Mr. Fowke, I gave him orders to repeat the demand, which he did accordingly with frequent and almost daily importunity, limiting the number to 1500 and afterwards to 1000 only. To this demand you returned evasive answers, nor to this hour have you contributed a single horseman<sup>1</sup>". Hastings concluded his letter with these emphatic remarks, "I pass over the instances of your conduct in which through the means of your Secret Agents you have endeavoured to excite disorder in the Government on which you depend, and your neglect of the duty which you owe to it and to the subject of this Zamindary, by suffering the daily perpetration of robberies and murders, even in the street of city of Banaras itself, to the great and public scandal of English men and in violation of one of the conditions on which you received the confirmation of this Zemindary. But as the two foregoing instances amount to a direct charge of disaffection and infidelity to the Government on which you depend, and happened at a time in which it was your duty most.

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1. Sec. Sel. Com., Sept. 4, 1781, III, p. 782.

especially to have exerted yourself in the support of its interests, I have, therefore, judged it proper to state them to you thus fully in writing and to require your answer to them and this I expect immediately".<sup>1</sup>

To the charges brought against him by Hastings, the Raja replied, "I obeyed the orders with the utmost readiness" and further said, "I sent first one lakh of rupees with an answer to your letter. Afterwards, having paid to Mr. Fowke the sum of one lakh and seventy thousand rupees, I sent a letter requesting a further allowance of time to make some preparations. To this I received no reply. It being no time to delay, notwithstanding this I was not a moment inattentive to this concern, and as soon as my Buxey arrived, I paid immediately the remaining part of the sum. The remitting of this to the army did not depend upon me; if any delay happened on this head I could not help it. If besides, the payment of money, the remittance of it also to the army had rested with me, a delay of this kind should not have happened".<sup>2</sup>

But in the opinion of the Governor General the answer was false in all its parts. He did not pay the first one lakh until August 5, 1780, though the demand was made in the end of June and then he refused to pay any sum further

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1. Sec. Sel. Com., op.cit., p.783.

2. Ibid., p.785.

until he had got an answer to a letter he had written to the Governor General requiring further time to dispose of his effects. To this representation, the Raja said that he received no reply, though a reply was immediately sent strongly expressive of Board's displeasure at his excuses, which they said they knew to be futile. This expression of the displeasure did not hasten the payment, which was not finally made until October 18, 1780, although the Raja promised to pay in the month of July. With regard to his not furnishing the cavalry, the Raja replied, "In compliance with your wishes I collected 500 horses and a substitute for the remainder five hundred Burkandazes, of which I sent you information and told Mr. Markham that they were ready to go to whatever place they should be sent. No answer, however, came from you in this head, and I remained astonished at the cause of it. Repeatedly I asked Mr. Markham about an answer to my letter about the horse but he told me that he did not know the reason of no answer having been sent; I remained astonished".<sup>1</sup>

The answer of Chait Singh, in the opinion of Hastings, "was not only unsatisfactory but offensive in style".<sup>2</sup> It affords also a strong indication of that spirit of independency which the Raja had for some years assumed. "Under these alarming appearances of the Raja's conduct and disposition", wrote Hastings, "I conceived myself indispensably

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1. Ibid., p.784.

2. Ibid., p.785; Hastings, op.cit., p.19.

obliged to form some immediate and decisive plan for obviating their consequences, and for the preservation of the Company's<sup>1</sup> rights and interests in the Zeminedary. To have left him in the full exercise of powers which he had notoriously abused, and which it was to be apprehended he would employ to the most dangerous purposes, was totally inconsistent with the maxims of justice and prudence. To divest him entirely of the Zeminedary, though justifiable on the ground stated above, would be attended with an appearance of severity, and might have furnished grounds for construction unfavourable to the credit of the Government and to my own reputation, from the natural influence which every act of vigour exercised in the persons of men who stand in elevated stations is apt to impress on the minds of those who are too remote from the scene of action to judge by any evidence but of the direct facts themselves of their motives of propriety".<sup>1</sup> After weighing the conflicting consideration, Hastings ordered Maridam, the Resident at Banaras, to arrest the Raja. The Resident executed the order without any difficulty. The Raja quietly submitted to the arrest in his palace at Shivala Ghat.<sup>2</sup>

The guard placed over the Raja consisted of two companies of Grenadier sepoy from Major Popham's detachment under the charge of Lieutenants Stalker, Scott and

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1. See. Sel. Com., Sept. 4, 1781, III, p. 785; Hastings, op. cit. p. 125.

2. Hastings, op. cit., p. 21; Select Committee, V., p. 478.



Sines who were stationed in an enclosed square and surrounded the apartment where the Raja was put under arrest. It appears that these troops had taken no ammunition with them. According to Khairuddin, the author of Balwantnash, Markhan wrote to the Raja that if he offered Rs. 70 lakh in cash, accepted an increase of seven lakh to his annual tribute and gave security of punctual payment through the bankers, there would be no trouble in future.<sup>1</sup> He promised to see the Raja after lunch and settle the matters. Captain Stalker induced the Raja to perform his ablution and do the usual gila.<sup>2</sup> According to Marathi accounts Chait Singh secretly wrote to his brother Gujan Singh and four adherents at Ramnagar for effecting his release.<sup>3</sup> The Raja had also issued strict orders to his men and some of the populace assembled outside the palace not to mind even provocations and desist from interference with the Company's men. When Babu Maniar Singh came with 200 men and wanted to join the Raja, Ghulam Hussain was sent to pacify him by showing the newly arrived letters of assurance. But he insisted on sharing the fate of his cousin and master. The Captain did not mind three or more persons coming of their own accord to share the Raja's captivity. They were not disarmed.<sup>4</sup> In the meanwhile

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1. Balwant, op.cit., p.165.

2. Commons  
Committee, V., p.480.

3. Mahadaji Sinde Hiyanchi Kagad Patren, No.172; Poona Akhbar, No.115.

4. Balwant, p.165.

Markhan, on being misinformed by some mischievous person that Sujan Singh had crossed the river and was on way to Shivala Chat for rescuing the Raja, sent villainous mace-bearer Chet Ram to warn the Raja. Chet Ram exceeded the limits of the order and insolently threatened the Raja that he and his females would be dragged in the bazars if any harm was done to any of the Company's men. The babus writhed with anger and Maniar Singh's young son spoke a few words to receive only an insulting reply. The Raja intervened, even extended his legs towards the chobdar<sup>1</sup> and pacified the babus. Quite unknown to the Raja, some of his musketeers had assembled in an orchard to the west of the palace of Shivala Chat and there was an altercation between them and the Captain of two newly arrived companies of Tilengas who carried two cannons. The reckless captain Egerton ordered the discharge of one of the cannons, which<sup>2</sup> misfired. In fact when the musketeers and the men, who were hidden elsewhere with their weapons, rushed towards the courtyard, some jumping down from trees and through the windows. Ghulam Husain and Bakshi Sadanand ran to control them but in vain.<sup>3</sup> The Raja rose from his puja to see what was happening, and if possible, to quell the disturbances. Chet Ram tried to grapple with him, crying aloud for help

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1. Balwant, p.166.

2. Ibid., p.166.

3. Ibid., p.166.

from the soldiers in the baradari. Some English soldiers reached there at once and the Raja's life appeared to be in danger.<sup>1</sup> Chet Ram, chobdar and Maulavi Ali Uddin Kubra were cut down into pieces by either Nankoo Singh or Shanker Datta. Captain Stalker and others were taken aback but rushed to face the crowd, sword in hand, for there was not enough ammunition. They fell fighting bravely against heavy odds. It was at this time when almost all the men and officers of the two companies had been killed. Of the two companies commanded by Lieutenant Stalker, very few remained alive and the majority of these appeared to be gravely wounded. The bodies of Lieutenant Stalker, Scott Simes were found lying close together shockingly mangled and without any sign of life.<sup>2</sup> Ghulam Musain advised the Raja to proceed to the 'Garden of Madho Das' and arrest Hastings and his retinues and take them all to the fort of Bijaigarh for which purpose there were nearly 4000 men ready and there to make him agree to any proposals made to him.<sup>3</sup> Maniar Singh agreed with this suggestion. The Raja was at his wit's end and only wanted to be taken out to the river and across it to Ramnagar.

In the midst of the confusion, the Raja found means to escape through a wicket which opened to the river, and

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1. Balwant, p.166.

Commons

2. Hastings, op.cit., p.25; ~~Secret~~/Committee, V., p.480.

3. B.N., pp. 166-167.

the banks being exceedingly steep in that place, he let himself down by turbans tied together into a boat which was waiting and took him to the opposite shore of Rannagar.<sup>1</sup> It is mentioned in Tawarikh-i-Ishwari that Chait Singh crossed the Ganges and reached Ahirabir on the opposite shore near Rannagar, where he accidentally found a horse standing. Since he was bare headed, he took the turban of the boatman and thence rode to Rannagar. Those to whom, he owed his escape, followed him and took possession of the palace.<sup>2</sup> The departure of Chait Singh and his followers in another direction enabled the Governor General to escape an encounter. If they had proceeded to the Governor General's quarter in the 'Madho Das Garden', Warren Hastings along with other English men with him would have fallen an easy prey. But this catastrophe was averted, and the escape was probably to be attributed to the irregularity and disorder which marked the entire proceedings ending in the rescue of the Raja.<sup>3</sup> From Rannagar the Raja escaped to his fortress of Latifpur with his family.

On the first intelligence of this commotion, Hastings directed Major Popham to repair immediately to his Camp which was two miles from the residence of the Resident and at the same distance from the Raja's palace and to march immediately with the remainder of his detachment to the

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1. Malleson, Life of Warren Hastings, p.863; Hastings, op.cit., pp.24-25.

2. Sayyid Amir Ali, Tawarikh-i-Ishwari, p.22.

support of the party. This order was executed with all possible expedition. But Major Popham arrived too late and "had the mortification of being a spectator of the effects of massacre which he could neither prevent nor <sup>1</sup> revenge."

The effects of the first consternation having subsided, on the 18th of August, Chait Singh deputed 2000 persons under the command of Ramjiwan, a confidential and domestic chief of his family, to the fort of Ramnagar.<sup>2</sup> On hearing this news, Hastings directed Major Popham to attack on Ramnagar. Major Popham's detachment, consisting of four companys of Sepoys, one company of Artillery and the company of French Rangers, were ordered to march immediately to Ramnagar. Lieutenant-Colonel Blair was also ordered to despatch a battalion of Sepoys from Chunar. It was intended that as soon as these corps had joined and were properly equipped for service, Major Popham should take the command and proceed against the forces quartered in Ramnagar. Hastings had directed Captain Mayaffre, the Officer-commanding the residue of his detachment, to avoid hostilities and attend to the safety of the whole party, of which being the senior officer he would have the command till Major Popham assumed it.<sup>3</sup>

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Commons

1. ~~Secret~~ Committee, V., p.480.
2. Hastings, op.cit., p.29.
3. Ibid.



Captain Mayaffre, who, by a premature judgment, ordered the detachment to march into the narrow lanes of the town, where they were opposed by the fire of an enemy surrounding them unseen and the party which entered was annihilated in an instant. Twenty three men of the corps of Rangers with their commander Captain Doxat who led the attack, were killed and ten were wounded. The first battalion of the 6th regiment of sepoy commanded by captain Blair which followed 57 killed and 41 wounded. Captain Mayaffre was killed. The detachment instantly retreated. This unfortunate affair happened on the morning of the 20th of August.<sup>1</sup>

Hastings in his letter, dated the 27th August, 1781, wrote to the Board, "On the 19th a large force returned to Munnagar. Captain Blair with his battalion and Captain Mayaffre with the remainder of Major Popham's detachment were ordered to assemble for the attack of that place, and Major Popham to join and conduct the operation according to a concerted plan. The two corps having joined, Captain Mayaffre, the Senior Officer, without waiting for Major Popham, against orders, on the morning of 20th, marched precipitately into the narrow streets of the town, where, in an instant, he fell with Captain Doxatt and 33 rangers and almost all the sepoy of Captain Blair's battalion that

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1. Hastings, pp.29-30.

had entered with him, the rest of detachment returned to Chunar with loss of two guns, one howitzer, and 103 men of all denominations killed. I was in Benares with the broken remains of Major Popham's first party consisting of about 400 men, in a place incapable of defence even with equal numbers. Preparations were making to attack me. I waited till the evening for a battalion ordered from Chunar to enforce our party; at 7 repeated intelligence arrived that Raja's boats were in motion; no news arrived at the battalion from Chunar. It was resolved to meet it and march with it to Chunar. The resolution was instantly carried into execution. We passed the battalion which returned and overtook us and on the 22nd at day break we gained the bank of the river opposite to Chunar, having met no opposition. The detachment crossed on the morning of the 23rd. The Raja's forces are divided between Rannagar and Lateefgarh. His family is at Bijeygur. His fixed establishment exceeds 10,000 men, and all his recruits bear arms. Major Popham is encamped on the plain east of the fort. I expect to be joined by a regiment from Cawnpore which are ordered for my guard at Lucknow. Lieutenant Polhill, with six companies of Nabobs guards, are at hand, and Major Moses Crawford's battalions. My only distress<sup>1</sup> is the want of money and is great. The insurrection at Banaras seems to have produced a strong impression on the mind of Hastings, for he wrote to his colleagues, "My regret

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1. Sec. Sel. Com., Oct. 18, 1781, III, p.796.

for these are personal. I shall ever retain painful remembrance of scene of blood of which I have been too near a spectator<sup>1</sup>". The result of this disorder was a general massacre of nearly all the company's troops at Banaras.

Hastings became alarmed for his own position at Madho Das Garden which was intended to be attacked. For a few days Hastings along with his two or three companions hid himself in a heap of dry leaves without having any food and water.<sup>2</sup>

The opinion of the Council of Officers coincided with that of the Governor General that the immediate retreat was desirable and the party in consequence moved to Chunar-garh in the night by boat, leaving the wounded sepoys under the care of Saadut Ali who, not only protected them from Chait Singh's vengeance but supported them with provisions,<sup>3</sup> money and medical attendance. It was on this hasty retreat that the well known couplet came to be used:

"Ghora par howdah hathi par zin

Jaldi bhag gaya Banares se Warrin Hastin"

At Chunar he continued to be dreadfully distressed for want of money and provisions. During these hardships Beni Ram

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1. Sec. Sel. Com., p. 798.

2. Yadgar, p. 1226B.

3. Hastings, op. cit., p. 32; Havel, E. B., Banares, the Sacred City, p. 217.; Minutes of Evidence, II, p. 1701.

Pandit and his brother Bishambhar Pandit fully proved their loyalty and attachment to the Governor General by providing him with money and provisions.<sup>1</sup>

At Chunar Hastings received several letters from Chait Singh expressing his regret for the massacre at Shiwala Ghat.

In his Narrative, Hastings has himself mentioned, "During the time of inaction which succeeded to my arrival at Chunar, I received several letters from Cheit Sing, besides letters from Mr. Barnet, and one from Contoo Bauboo, who were both his prisoners at Lutteefpoor, which were written by his order. These were all alike in substance, containing acknowledgements and professions of submission to my authority; assertions of his own innocence, charging the massacre at Shewallah to the Chubder whose insults provoked the resentment of his servants whom he could not restrain".....

".....I refused to answer them, letting him know that they were written with too much presumption, in the style of equality, and with inapplicable professions, which were no better than none".<sup>2</sup>

Chait Singh seems to be much disappointed with the non-compromising attitude of Warren Hastings and no alternative was left to him except to wage war against the British.

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1. Sydney, G. Grier, The Letter of Warren Hastings to his wife, p.130; Hastings, op.cit., pp.33-34.
  2. Hastings, op.cit., p.46.

Most of the English attendants were directed to proceed to Chunargarh from Banaras by a different route with palanquins and baggages. They took a wrong turn and fell into the arms of Chait Singh's troops, and Hastings<sup>1</sup> and his companions lost all their belongings. Hastings found himself now plunged in a war and made every effort to have the war localized and speedily terminated. Orders were despatched to various military stations for assistance; to the Resident of Awadh for supply of money and provisions; and to Lieutenant Colonel Blair for an instant reinforcement. Chait Singh stopped all the communications. No intelligence could be received up and down the country. The Dak harka-Ras as well as any one that was suspected of being in any way connected with the English were killed.<sup>2</sup>

Chait Singh had also issued orders to all the Zamindars and officers of his Government to put every European to death and punish the natives who were either found in the service of, or connected with the English and to exert themselves in promoting an insurrection throughout the country for which they would be suitably rewarded. He had also written letters to the Zamindars of the Wazir's country to raise disturbances in their respective districts and assist him with troops for which he promised them large sums of money.<sup>3</sup>

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1. Grier, op.cit., p.130.

2. W.C. Macpherson, Soldiering in India, p.300.

3. Hastings, op.cit., p.195.



Chait Singh's precautions to prevent the communications with the provinces or army stations clearly show that he had well planned it even before the Governor General's arrival at Banaras.

On first alarm, however, troops began to move towards Chunar from Dinapur, Allahabad, Kanpur and Lucknow. On the 4th of September, 1781, Col. J. Cumings received orders from the Governor General to march immediately with all his troops under his command at Kanpur. Col. James Morgan at the same time received orders to march with all possible expedition to Allahabad. Macpherson received this order at Fatehgarh on the 4th of September at 12 O'Clock and marched at 3 O'Clock in the morning of the 5th of September with one regiment of Cavalry, three regiments of sepoy and eight field pieces, six pounders, etc. On his arrival at Kanpur, Captain James Law with the cavalry joined Col. Morgan, and marched with him. Major Edward Rawstorne with the 21st Regiment and two guns was ordered to proceed to Kali Ghat on the bank of the Jamuna. Major Haylor with the remainder Regiment of Macpherson remained at Kanpur with Col. John Cumings. On the 27th of August, Lieutenant Polhill also arrived with six companies of sepoy<sup>1</sup> belonging to the Nawab Wazir body guard stationed at Allahabad.

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1. Ibid., pp. 38-39; Macpherson, op.cit., p.399.

The whole country was ready to attack the English. The boats bringing provisions to Cantorments were stopped and plundered.

The Nawab Asaf-ud-Daulah, on hearing of the dangerous situation in which Hastings was placed, marched from Lucknow with all the troops for the help of the Governor General. He was heavily in debt to the Company on account of the arrears of pay and other charges of the English troops employed by him. A conference took place between the Nawab and Hastings at Chunar, and it was settled that the latter would withdraw English troops which the Nawab was unable to support. The Nawab on his part agreed to discharge the dues of the Company by a whole sale confiscation of the effects of his lagirdars. On the 19th of September, 1781, an agreement known as the treaty of Chunar<sup>1</sup> was accordingly concluded to this effect.

On September 8, eleven days before the treaty of Chunar was signed, Colonel Hannay wrote to the Governor General, "The town (Fyzabad) had proved the appearance of belonging to Cheyt Singh than the vizier. The Begams have placed guards to prevent any of my people going to the bazar in it. Within these few days Shaikh Chaun, with near 1000 horse and foot, has marched, from hence to Banares. (They were raised here) and I must confess that

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1. C.P.C., VI, p. ix (Introduction); Sec. Sel. Com., July 9, 1783, III, p. 988.

for my own part I have no doubt but Jower Alley Khan and Bahar Ali Khan, through their agents, stirred up all the disturbances which extend from hence to Zowey Azingur<sup>1</sup>".

Hastings had also received secret intelligence informing him about the evil designs of the Nawab and he was warned to guard himself against the force of the Nawab and not to grant interview to the Nawab without a strong guard. The same intelligence also informed him that in the city of Fyzabad the Nawab's mother and grand mother were openly espousing the party of Chait Singh and recruiting personnel for his army and also exciting Zamindars of Gorakhpur and Bahraich for rebellion. Their servants took up the arms against the English. Two battalions of regular sepoys in the Nazir's service under the command of Lieutenant Colonel Hannay, who had been entrusted with the charge of that district, were attacked and surrounded in various places. Many of them were cut into pieces.<sup>2</sup>

Warren Hastings did not express his resentment or apprehension but "Had the satisfaction of receiving the Nawab of maintaining an intercourse with him with every mark of the most secure and mutual confidence, and parting<sup>3</sup> with him with every demonstration of mutual satisfaction".

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1. Sec. Sel. Cor, July 28, 1783, III, p.1004; G.R.Oleig, Memoir of Warren Hastings, II, pp.455-456.
  2. Hastings, op.cit., p.36.
  3. Ibid.

It may be mentioned that between the 19th of August to 2nd of September, 1781, the Raja collected a huge force at Pateeta, about seven miles from Chunar. Major Popham considered the propriety of the circumstances and on the 3rd of September, 1781, detached Captain Blair with his battalion and two companies of his own grenadiers to attack the Raja at Pateeta. The English force marched at three in the morning and reached Pateeta at day break but found the fort evacuated. The Raja's troops were prepared to receive them in complete order at about a mile beyond the fort of Pateeta. A bloody action ensued. The Raja's troops made a very spirited resistance. After a very serious action, the fortune of the day was happily turned in favour of the English troops. Captain Blair detached his grenadier companies to attack the two guns which were posted on the flank, and galled his troops exceedingly. The attack succeeded. In a letter dated the 4th of Sept., 1781, Hastings announced to the Board, "Captain Blair brought off 3 of their guns and spiked the fourth; the carriage of which was disabled. He brought away also one of their tumbrils, and all his own loaded with their ammunition. Three more of their tumbrils, with much loose powder, were blown up on the field, Captain Blair having no means of bringing them away. He was also obliged to leave about 1500 of their shot piled in a village. The enemy's numbers are reputed 8000 or 9000 men. Captain Blair judges them from appearance to be only 3000 or 4000; they were

their prime men. Our loss, which I add with regret, exceeds 195 killed and wounded; theirs must be proportionately more, though unknown. It is remarkable that the enemy's artillery and cartridges made at Rannagar are almost equal to ours; their cartridges and port-fire, compounded with equal skill, and their powder much better<sup>1</sup>.

Fourteen<sup>men</sup> of the corps of Rangers fell ill and were left behind at Mirzapur. They were made prisoners by the Raja's force and sent to Latifpur, where all but one (who managed to escape) were massacred in the presence of the Raja. The remainder of Major Popham's detachment marched under the command of Captain Mayaffre to Rannagar.<sup>2</sup>

Rannagar became the main target of attack because it had been the scene of first disgrace of the English. It was decided by Hastings that the repossession of the capital, followed by the capture of Rannagar, would enhance the estimation of the English in the public and complete the recovery of the English supremacy over the country. It was also considered that the existence of the fugitive Raja in the mountains and forests would be given little heed when he had fled from the capital of his Government. For this purpose battering cannons and mortars were ordered to Major Popham's camp and all other necessary preparations

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1. Sec. Sel. Com., October 18, 1781, III, p.806.

2. Hastings, op.cit., p.41.



were made for the siege of Ramnagar. It caused a delay of few days. In the meantime a man named Bandhoo Khan, a native of the town of Chunar, reported that as the Raja's force was collected at Latifpur and Pateeta and was daily growing in number, it would become exceedingly difficult to dislodge it, if it was allowed to gain too great strength by a process of detailed and consecutive operations. The approaches to Pateeta and Latifpur were strongly guarded, especially those of Latifpur which he described as unassailable. The only road leading to it through Pateeta and even if carried, untenable from the strength of the pass behind it, which the enemy would keep possession in defiance of all the efforts made by the English forces. This pass derived its name from the adjacent village of Sakroot. Bandhoo Khan advised a divided plan of attack to be executed at the same time - one on the fort of Pateeta and the other on the Pass of Sakroot. He offered to conduct the party through the unfrequented and unknown track.<sup>1</sup>

Major Popham atonce saw the propriety of his advice and adopted it. The evening of the September 15th was fixed for the execution of the plan which was concealed with the most profound secrecy. Major Popham formed his army into two divisions - one destined for the most distant enterprise and commanded by Major Crabb who marched in the

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1. Hastings, op.cit., p.47.

night of the 15th of September by a large circuit through almost impracticable ways<sup>1</sup> to Latifpur while other for Fateeta under Major Popham.

The spirit of officers and men surmounted every difficulty. In places where guns could not be drawn by bullocks, the sepoys lifted them up the rocks and although on the morning of the 26th they arrived at the height lying behind and above the fort of Latifpur at a place called Lora, which commands a pass descending to Latifpur and reputed as inaccessible against opposition but from above. This expedition was undertaken with profound secrecy. The region was altogether unfrequented. These factors prevented any opposition to the English troops in the difficult parts of their route. At Lora, they met a body of 2000 of the Raja's force which they defeated and dispersed with a little loss to English forces but 200 persons of the Raja's force were killed on the spot. The next morning they took possession of the pass and fort of Latifpur which they found<sup>1</sup> evacuated.

In the meantime Major Popham marched with his part of force on the morning of the 16th of September to Fateeta, a place inconsiderable in itself, being a fortified stone house with a very high rampart and ditch of great depth. The town, which was of great extent, was surrounded by

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1. Sec. Sel. Com., Oct. 18, 1781, III, p. 206.

entrenchments. Thus hidden from view on account of trees and thick bushes, he considered it unadvisable to attempt an immediate assault upon the place which unfortunately provided the cause of simultaneous success on both enterprises, for in the morning of the 20th he stormed and took Pateeta, and at the same time defeated and dispersed two bodies of the Raja's force that made an attempt on his camp. And in the same hour, Major Crabb fought and gained the battle at Lora which was the immediate and eventual cause of the capture of Latifpur.<sup>1</sup>

During the seige of Pateeta, twelve English men were made captive by Sujan Singh, brother of Chait Singh. They were slain in the fort of Pateeta.<sup>2</sup> The news of these consecutive successes alarmed the Raja exceedingly. His fears were roused on account of the surprise advance of a great force from the quarter least expected.

Mahadaji Sindhia mentions in a despatch addressed to Nana Fadnavis that Chait Singh's defeat was due to the defections caused in his army. Chait Singh had ignored a rear attack. The secret routes leading to the key positions were betrayed by two persons. One of them Mandlal, a Yakil of Nan Jiawan Singh, Commander of the fort of Pateeta, led the British to Pateeta, while Bandhoo Khan, a planda of

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1. Sec.Sel.Com., Oct. 18, 1781, III, p.803; Hastings, op.cit., p.125.

2. Madisat, p.127.

Chunar showed the path between Pateeta and Chhat<sup>t</sup>isgarh<sup>1</sup>. For this act of loyalty, Bandhoo Khan was rewarded by a grant of a jagir of village Jalaipur on the 21st of October, 1781;<sup>2</sup> while Nand Lal was caught and killed by his master.<sup>3</sup>

After his defeat at Latifpur, Chait Singh, accompanied by Man Jiawan, fled to his last resort, the fortress of Bijaigarh. After the siege of Latifpur, it was decided by the English to attack Bijaigarh and distribute the booty deposited in the fortress among the sepoys at the rate of rupees five hundred each.<sup>4</sup>

But due to the loss of his brave leaders and small army and poor response from the chiefs on whom he had depended, Chait Singh found himself unsafe there and decided to quit Bijaigarh and go to south to seek the help of powerful chiefs there.<sup>5</sup> The seizure of Bijaigarh on the 10th of November, 1781, by the English closed the brief but brilliant campaign. This fortress was seized by the British with the help of the information given by Adil Singh, Zamindar of Agori<sup>ee</sup> when it was attacked from the secret pass of Lova Koh.<sup>6</sup> The booty of the fortress amounting to about rupees twenty five lakh was distributed among

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1. Balwant, p.111.

2. Ibid., p.113; C.P.C., VI, No.1438.

3. Ibid; Hastings, op.cit., p.48.

4. Hadiyat, p.127.

5. Ibid.

6. Balwant, p.110; Trotter, op.cit., p.255.

soldiers at the rate of rupees 100 each.<sup>1</sup>

After his escape, Chait Singh wrote letters to all the Nawabs and Rajas complaining to them that Hastings had demanded from him the payment of one crore of rupees and the surrender of the fort <sup>yes</sup> of Bijalgadh, and because he could not comply with the wishes of the Governor General, he was treated like a common coolie and confined. But Macpherson is of opinion that Chait Singh was confined on account of the information received by the Governor General of his corresponding with the Marathas and inviting them to invade his country and that he would join them against the English.<sup>2</sup> This fact is also corroborated by the Marathi account that after his escape from captivity, Chait Singh gathered his kinsmen and followers, delivered a deadly attack on the English forces and was reported to have made Warren Hastings a prisoner. He is also reported to have proclaimed that the peasantry should carry on a ruthless war in the territories of the English and scorch out the earth, destroy the outposts and harass the enemy in all possible ways. A year's remission was granted by the Raja to his ryot. He had also invoked the help of his neighbouring Chieftains. Sadat Ali Khan, the son of Shuja-ud-Daulah, had allied himself with the Raja.<sup>3</sup>

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1. The History of the Trial of Warren Hastings before the High Court of Parliament in the Westminster Hall, part I, p.23.
  2. Macpherson, op.cit., p.403.
  3. P.A., II, No.112.



All kinds of rumours were spread. According to one Warren Hastings who had gone to Banares to collect tribute, was reported to have been treacherously killed in the battle against Raja Chait Singh.<sup>1</sup> The Raja seized the English vassals laden with rich cargo as also an amount of Rs. 70 lakh belonging to Warren Hastings, which was deposited with the bankers of Banaras. Balaji Bundella, a Maratha sardar of Saugor,<sup>2</sup> rushed to Banaras to join Raja Chait Singh.

According to earlier reports, Warren Hastings was believed to have been captured by Chait Singh by resort to treachery. But when the news was confirmed from the two messengers who arrived from Banaras, it was revealed that Chait Singh fought his way back to Ramgarh (Ramnagar), destroying the ambush parties set against him. Discouraged by the successive reverses at Banaras, Hastings proceeded to Chunargarh for safety but Chait Singh soon appeared before the walls of the fortress with a huge army and compelled him to sue for peace.<sup>3</sup> It was also reported that Chait Singh rallying the support of the neighbouring Chieftains and the Bundellas to attack the English post at Allahabad and near about.<sup>4</sup> But according to another account it is believed that Hastings was made prisoner by Raja Chait Singh at Chunar after its fall.<sup>5</sup> It appears

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1. Ibid., No. 113.
  2. Ibid., No. 114.
  3. Ibid., No. 120.
  4. Ibid., No. 121.
  5. Ibid., No. 122.

that Mahadaji Sindhia and Balaji Govind Bundela<sup>1</sup> sent a few companies of soldiers to assist Raja Chait Singh who was reported to have taken Warren Hastings prisoner at Chunar. The arrest of Warren Hastings caused a commotion in the political circle. The news was read out by Nana Fadnavis, the premier of Peshwa Government in an open ~~dargah~~<sup>1</sup>. Hyder Ali Khan suggested to the Peshwa that Warren Hastings should be brought from the Raja's custody and kept under restraint at Poona.<sup>2</sup>

While Warren Hastings was safely lodged in the fortress of Chunar, the tide of fortune turned in favour of the English. The English forces, stationed at Allahabad and in the Gangetic delta, made a junction and delivered a deadly attack on the forces of Raja Chait Singh. The Raja put up a valiant fight but was overwhelmed and had to fly from the field to avoid arrest. He took shelter for a while at Ramgarh (Rannagar) but had to leave it hastily as the enemy was hotly pursuing him. He was last heard of at Bijainagar. He had thus been<sup>3</sup> reduced to the position of a hunted fugitive.

Rani Panna Kunwar, mother of Chait Singh, decided to remain at Bijainagar with other ladies of the family because there was no adequate provision for transport. Raja left some of his trusted officers including Farnan

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1. Ibid., No. 113.

2. Ibid., No. 140.

3. Ibid., No. 135.

Singh his uncle, to protect his mother and children and left Bijai garh with Gujan Singh, Sadanand, Ghulam Musain Khan, Fyzullah Beg and some other babus of the family. It is said, "He carried away with him jewels, coins and other valuables loaded on 25 elephants, 50 camels, 1500 bullocks, 1000 coolies and 200 <sup>1</sup>banghy burdars". But Murtaza Musain Bilgrami, who served as Persian Secretary to Warren Hastings, mentions that Chait Singh took away with him one crore of Asparafis on elephants and camels.<sup>2</sup>

In the meantime Hastings was not sitting idle and he took every precaution to stop Raja Chait Singh from getting shelter or sympathy of any ruler in the south and began deputing his emissaries with letters describing exaggerated accounts of Raja Chait Singh's conduct and requesting them to turn out the Raja. He wrote particularly to those through whose territory the Raja was to pass, such as Rajas of Gohad,<sup>3</sup> Bundelkhand,<sup>4</sup> Bundi,<sup>5</sup> Baghelkhand<sup>6</sup> and Sindhia of Gwalior.<sup>7</sup> Leaving Bijai garh, Chait Singh went to Rewa Mukundpur, and from there he sent his Yakil to Mahadaji Sindhia and the Peshwa for seeking their

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1. Balwant, p.114.

2. Hadiqat, p.127B; P.A.,<sup>II</sup> Nos. 136, 151.

3. C.F.C., VI, No.243.

4. P.A., II, No.245.

5. Ibid., No. 247.

6. Ibid., No. 248.

7. Ibid., No. 267.

help. He tried to meet Sindhia at Chanderi where the latter was stationed, with a view to launching a fresh campaign against the British with the help of Najaf Khan, whom Peshwa had already written a letter to cooperate with Chait Singh in overthrowing the British power. Chait Singh met Mahadaji near Jhansi and pressed him to undertake a campaign to recover the kingdom of Banaras. He promised to pay twenty lakh of rupees towards the cost of campaign. His vakil, Naro Pant, met Nana Fadnavis on January 14, 1782, and presented him several costly robes and a priceless necklace sent as a gift to the Peshwa. In February, 1782, Chait Singh reached Mahadaji's camp. His condition was pitiable and Mahadaji bestowed on him a lagir of rupees five lakh. In this month Chait Singh offered Rs.25 lakh to Mahadaji for his restoration in the Kashi Thana but the latter demanded Rs.75 lakh. The English envoy pressed Mahadaji not to give asylum to Chait Singh but Mahadaji Sindhia stated that all considerations shown to Chait Singh should be ignored, as asylum has been granted to him prior to the treaty with the British. Chait Singh followed Mahadaji wherever he went, as in the battle of Lalot in August, 1787, in Mathura during November, 1789, and in his Mewar campaign of 1791. Whenever Sindhia wanted

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1. Ibid., Nos. 136 and 151.

2. Ibid., II, No. 158, M.S.K. NO. 192.

3. Ibid., III, No. 172.

4. Ibid., II, No. 157; M.S.K.; No. 198.

5. Ibid., III, NO. 188.

6. Poona Residency Correspondence I, Nos. 59, 68, 69.

7. Persian Records of Maratha History, I, Nos. D2(a).

8. Ibid., II, No. 40.

9. Ibid., No. 29.

to do any thing against the British in order to help Chait Singh, it was successfully forestalled and repulsed by Hastings.

Immediately after the flight of Chait Singh, the Governor General issued a proclamation that Chait Singh by his rebellion against the Company, <sup>had forfeited</sup> ~~and~~ all claims to Banaras, Ghazipur and Jaunpur, which were first settled on him by the late Nawab Shuja-ud-Daulah and afterwards confirmed by a sanad from the Company. It was notified that Babu Ausan Singh had been appointed to superintend the affairs of the Raj for the time being, and the question of succession to the 'gaddi' would shortly be decided according to the customs of the Hindus. The zamindars and galls were, therefore, directed to obey the orders of Babu Ausan Singh and ryot were to pay their revenues to him alone. They were also directed to break off all their connections with Chait Singh.<sup>1</sup>

The Rani left Bijainagar on November 9, 1781. Major Markham was directed to escort her to Allahabad under proper guard from where she proceeded to Gwalior.

It appears that the conduct of Hastings towards Chait Singh, while he was at Banaras, was improper and the imprisonment of his person, thereby degrading him in the eyes of his subjects and other native princes, was unwarrantable

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1. C.P.C., VI, No.212; Select Committee, V, p.480.



and highly impolite. It tended to weaken the confidence which the native princes of India ought to have in the justice and moderation of the Company's Government.

After his return to England, Hastings was impeached before the High Court of Parliament in the Westminster Hall for breach of faith, oppression and injustice. One of the charges against him was that the demands made by him upon Chait Singh were contrary to fundamental treaties between the Company and Chait Singh. They were the results of private malice and corruptions. But Hastings was honourably acquitted from the charges. The Judges gave verdict that Hastings was neither malicious nor corrupt. It was the duty of Hastings to preserve the Empire committed to his care, and in pursuit of that object he was to adopt the measures best suited to attain his end.<sup>1</sup>

On May 28, 1796, J. Lumsden, Agent to the Governor General <sup>at</sup> Banaras, forwarded three congratulatory letters to the Governor General at Fort William for onward transmission to Warren Hastings on his acquittal; one from Raja Udit Narayan Singh and his family, the second from the inhabitants — Hindus and Muslims and the third from the Pandits <sup>2</sup> of the Hindu College and other Hindus of Banaras.

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1. History of Trial, part VIII, pp. 278-280.

2. Correspondence of the Agent to the Governor General at Banaras (Letter issued), May 28, 1796, pp. 109-120.

Chait Singh died at Gwalior on March 28, 1811.<sup>1</sup> While informing the death of Chait Singh, W.A. Brooke, the Agent to the Governor General, wrote to N.B. Edmonstone, Chief Secretary to the Government, Fort William, "It appears that the death of Cheyt Singh did actually take place at Gwalior on the 21st of Cheyt which corresponds with the 28th of March last. I have seen a person now at Benares, named Jugisur Joshce, who says he was present at Gwalior on the 21st of Cheyt, when the body of Cheyt Singh was burnt. This is also confirmed by the information received by two merchants who have houses at Gwalior".<sup>2</sup> His ashes were brought to Benaras for immersion in the holy river Ganges by his widow and only son, Kunwar Balwan Singh.<sup>3</sup> While intimating the arrival of the widow and son of late Chait Singh, W.A. Brooke, the Agent to the Governor General, wrote to Richard ~~Strachey~~<sup>Strachey</sup>, the Resident with Mahadaji Sindhia at Gwalior, "The family of Rajah Cheyt Singh arrived at Bindachall near to Mirzapur in the month of March last and they gave it out on the 14th of April that the Rajah had died at Gwalior and that his ashes had arrived from thence for the purpose of being thrown into the Ganges at Galsaye Ghaut at Benares".<sup>4</sup>

His ashes were immersed in the river Ganges at Manikarnika Ghat at Benaras.<sup>5</sup> W.A. Brooke, the Agent to the

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1. Haddiqat, p.127B.
  2. A.G.C., Letters issued, June 24, 1811, vol. XI, p.59.
  3. Ibid., June 30, 1811, p.62.
  4. Ibid.
  5. Ibid., April 30, pp. 42-43.

Governor General, wrote on the 30th of April, 1811, to W.D. Edmonstone, Chief Secretary to the Government, "He (Chait Singh) died and his ashes were immersed at Manikaranika Chat, Banaras".

A little earlier the Rani and her son Balwan Singh had proceeded to Vindhyachal for the latter's tonsure (mundan), with Shoo Prasann Singh, the Rani's brother, in attendance.<sup>1</sup>

William Brooke, the Agent to the Governor General, summoned Shoo Prasann Singh in 1811 to Banaras and informed him that they should not come there after the tonsure. Shoo Prasann Singh was preparing to return, when news arrived that Chait Singh had died and his ashes were enroute to Vindhyachal for immersion in the Banaras Manikaranika Chat. The orthodox Brahmans<sup>2</sup> advocated deferring the tonsure ceremony for a year on account of the bereavement and the Agent to the Governor General was feeling uneasy till the departure of the Rani and her son from the Province after the tonsure.<sup>2</sup>

The Agent to the Governor General was anxious that they should go to Gwalior. On the 25th of May, 1812, he inquired from the Magistrate of Mirzapur about the expenditure<sup>3</sup> needed for their journey. On September 2, 1812, he summoned the Rani's sukhtars, Maulvi Rahim Ali and Sadashiv

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1. Ibid., April 30, 1811, p.42.

2. Ibid., p.43.

3. Ibid., pp.69-70.

Pandit, the confidential servants of Rani and through them sent words to her to comply with the Government orders as her conduct was "highly improper" and it would merely result in the abrogation of the liberality so far extended. The mukhtars returned and conveyed her refusal to entertain any proposal which did not include a guarantee assuring her a residence within five goss of Banaras. The Agent to the Governor General thought that compliance with this request was "full of danger".<sup>1</sup> On January 16, 1813, he suggested that she should go to Owalior or Agra District and directed P.<sup>H.</sup> Rattray, the Magistrate of Mirzapur, to impress this on her personally or if she declined, to repatriate her from Company's territories.<sup>2</sup> Rani promised to leave Mirzapur for Allahabad on February 11th. A conditional permission was also granted for her stay at Allahabad by the Magistrate till the receipt of the Government order about her destination. The Magistrate of Mirzapur was allowed to bear the travelling expenses of the Rani.<sup>3</sup> After fixing the 17th of February, 1813, as the final date of her departure, he solicited from the Supreme Government appropriate orders in this behalf. The Rani was encouraged to procrastinate by the advise of Devaki and others that the authorities would not expel her against her wishes. At one time she was inclined

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1. Ibid., May 25, 1812, pp.187-189.

2. Ibid., January 16, 1813, pp.222-223.

3. Ibid., February 7, 1813, XII, pp.11-12.

to go to Calcutta.<sup>1</sup> Averting to his concern about her expulsion, the Agent to the Governor General, on February 8, 1813, wrote to the Government that notwithstanding the fact that "her own conduct would justify <sup>ex</sup>~~her~~ expulsion, yet the effect it might have upon the minds of the natives and the serious consequences that might ensue, perhaps to the public peace as well as to her individually are in my opinion matters of serious consideration and of great importance".<sup>2</sup>

The Magistrate of Mirzapur having arranged for the payment of their debts and arrears, the Rani and her son finally left for Allahabad on the 25th of March, 1813, where too she was directed to remain in her tents and not to be allowed to occupy dwelling house and desist from communicating with Devaki Nandan's agents.<sup>3</sup> On the 10th of April, she departed desiring to live near Mathura within the jurisdiction of Agra.<sup>4</sup>

Balwan Singh petitioned unsuccessfully for a number of years seeking permission to visit Banaras. In April, 1851, he again wished to be away from Agra for the purpose of marrying his son to a bride of village Tikari near Chunar.<sup>5</sup>

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1. Ibid., p.12.

2. Ibid., pp.16-17.

3. Ibid., March 25, 1813, pp. 34-36.

4. Ibid., April 26, 1813, pp. 49-52.

5. Ibid., June 30, 1852, XXXII, p.20.



The Agent to the Governor General wrote to the Government that Tikari was not near Chunar, but "Close to Benares City and nearly opposite the ancestral abode of Ramnugger where his appearance, under the sanction of Government would lead to much trouble and inconvenience".<sup>1</sup>

It appears that a pension was also sanctioned for the maintenance of the Rani and her son. On April 13, 1814, W.A.Brooke, Agent to the Governor General, wrote to R.H. Rattary, Magistrate, Mirzapur, that "Girdharee Lal Mooctar of Rani was paid a sum of Rs.4673-0-1. being the balance due on account of the pension allowed by Government to the Rani and family from the 30th of March, 1811 to the 5th of May, 1813".<sup>2</sup> Most probably the pension was about Rs.2000/- per annum or something more.

Three questions are often asked about Chait Singh:

- 1) Whether he was a Raja or a Zamindar?
- 2) Whether he was rebellious against the British?
- 3) Whether Warren Hastings was justified in levying heavy taxes on him?

#### WAS CHAIT SINGH A RAJA OR A ZAMINDAR?

The position and rights enjoyed by Raja Balwant Singh devolved upon Chait Singh by virtue of heredity Balwant Singh was a powerful zamindar and very much attached to

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1. Ibid.

2. Ibid., April 13, 1814, XII, pp. 157-158.

the Company. The Court of Directors praised his signal services rendered to their affairs. In consequence of those services, he was by an article in the Treaty of Allahabad in 1765 made independent. Lord Clive made it a special article of the treaty that Balwant Singh should retain possession of those territories which belonged to him; and he guaranteed those territories by British faith armed with British power. The treaty gained the approbation from the Court of Directors. This treaty continued in force for a considerable time without any attempt having been made to infringe it. Chait Singh succeeded his father on October 10, 1770, with the same rights and privileges as were enjoyed by Balwant Singh. He was considered as holding his situation exactly under the protection and guarantee of the treaty of Allahabad.<sup>2</sup>

This treaty continued till the year 1773, when Hastings proceeded to Banaras from Calcutta to renew on behalf of Raja Chait Singh the stipulations that had been made with his father in consideration of his services. It seems that he went up to Banaras for the purpose of not conveying any new right to Chait Singh but for the purpose of renewing his old rights.<sup>3</sup>

Hastings has stated in his narrative that Chait Singh had acquired the first legal title that he had to his

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1. Aitchison, op.cit., pp. 77-78.
  2. Sec. Sel. Com., Oct., 19, 1770, pp. 719-720.
  3. <sup>Commons</sup> Select Committee, V., p. 484 (Supplement).

situation from those of articles in 1773. Hastings obtained from Nawab Shuja-ud-Daulah certain instruments in favour of Chait Singh. Those instruments bear that no increase of his tribute should be ever demanded and there should be no deviation whatever from this agreement. Hastings says, "His father Bulwant Sing derived the degree of independency which he possessed, during the latter period of his life, from the protection and intervention of our Government. His son Chait Sing obtained from our influence exerted by myself the first legal title that his family ever possessed of property in the land of which he till then was only the Amil, and of which he became the acknowledged Zeminedar, by a Gurmud granted to him by the Nabob Shujah-ud-Dowlah<sup>1</sup> at my instance in the month of September, 1773".

The 'kaulnama' of the 6th of September, 1773, which was executed in the presence of Hastings removed all doubts, if any, as to his status and rights having become hereditary. It expressly stated that it was made with Chait Singh and his heirs and should never be deviated from. Hastings also considered the kaulnama as being an engagement in favour of Raja Chait Singh and his successors. In his letter to the Court of Directors, he writes, "The kaulnama was executed in my presence and attested by me. The Vizier desired that the stipulation made in favour of the Rajah might be executed in this mode rather than an article in

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1. Hastings, op.cit., p.8.

the treaty and it was equally satisfactory to the Rajah. I must remark that he had already given the Rajah a Cowinama of this tenor, soon after the death of Bulwant Sing, through the solicitation of Captain Harper, by the orders of the Select Committee. He should therefore, have the reasonable plea to refuse the confirmation of it".

Chait Singh held his territories and all rights annexed to them upon other principles and by another tenure than the mere generosity and goodwill of the British Government. He held them under the solemn sanction of repeated treaties which had bound the former sovereign of Banaras, and which, on the transfer of the sovereignty to the Company, were confirmed beyond all possibilities of dispute. The rights of the Raja under these treaties were to be exempted from every additional demand and subject to no authority and bound to no extraordinary duties beyond the payment of stipulated tribute. In his Narrative Hastings says, "On the succession of the Nabob Assaf-ud-Dowlah the rights of sovereignty which were held by him over the Zeminedary were transferred by Treaty to the Company. Those rights were indisputably of his, and became by his alienation of them as indisputably the company's; and every obligation of fidelity and obedience which is due from a Zeminedar to the superior magistrate by the constitution of Hindostan became

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1. Ben. Sec. Cons., Oct. 4, 1773, Cons. No. 2, pp. 547-548.

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1. Ben. Sec. Cons., Oct. 4, 1773, Cons. No. 2, pp. 547-548.



as much the right of the Company from Chait Sing, as it had been due to his former sovereign, with the additional ties of gratitude for the superior advantages which he was allowed to possess with his new relation. The unexampled lenity of our Government in relinquishing to him the free and uncontrolled rule of his Zameedary subject to a limited annual fine, and the royalties of the mint, administration of justice, and police, ought to have operated as an additional claim on his fidelity; but evidently served to stimulate his ambition, and perhaps to excite in his mind an opinion that he possessed an inherent<sup>1</sup> right of self dependency".

In the instructions sent to Bristow, the Resident at Lucknow, relating to the treaty concluded with Asaf-ud-Daulah in 1775, he was declared to be little more than a nominal authority and therefore Nawab Wazir could have no objection to cede rights which were of so little advantage to him. In 1773, Hastings himself had stated that the rights of sovereignty were not to interfere with the rights of the Raja, when he intervened to prevent Shuja-ud-Daulah from seizing the fortresses of Bijaigarh and Latifpur and exacting ten lakh of rupees over and above the stipulated tribute. It appears that the Raja possessed certain rights which were not on any account to be infringed.

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1. Hastings, op.cit., pp.8-9.

Hastings himself intervened to prevent Nawab Asaf-ud-Daulah levying five lakh of rupees in advance of the stipulated tribute, though it was for the purpose of making good a payment to the company. He authorized Bristow, the Resident at Lucknow, to remonstrate with the Nawab Wazir that the "Rajah had been induced to pay the first Tankhah of five lakhs with great difficulty and did it solely to avoid altercation. That he would not now by a repetition establish a precedent disadvantageous to himself and country to the letter of the Treaty". He further observed, "Rajah Cheit Sing was to be considered in this light and he must expect to see him protected, for that he was not to be put upon a footing with his other Zeminders"<sup>1</sup>. He was then, it seems, upon a footing something better than that of a mere zamindar, even when the administration of justice had not yet been conferred upon him and he was not invested with the symbols of sovereignty, the profits of mint and the administration of justice and Police.<sup>2</sup> Grey has rightly said, "Cheyt Sing was more than a mere Zamindar, that he was ally of the company and should be protected in his rights"<sup>3</sup>.

Even the levy of a part of the stipulated tribute in advance was considered as an infringement of the rights of the Raja. According to the treaty subsisting between

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1. ~~Parliamentary Papers, 1800, p. 100.~~ Commons Comm.H., p. 459.

2. Ben. Sec. Cons., March 30, 1775; Cons. Nos. 2, p. 534.

3. History of Trial, part I, p. 18.

the late Nawab Wazir and the Raja, it was settled that the Company would guarantee the protection of the Raja so long as he paid his qista regularly when it became due and no demand would be made either in the enhancement of the rent or any other sum in advance.<sup>1</sup>

When the transfer of suzerainty of Benares to the East India Company took place, Warren Hastings, in the course of consultations, stated, "The Rajah of Benares from the situation of his country, which is a frontier of the provinces of oude and Behar may be made a serviceable ally to the Company whenever their affairs shall require it. He has always been considered in this light both by the Company and the successive Members of the late Council but to ensure his attachment to the Company, his interest must be connected with, which can not be better effected than by freeing him totally from the present vassalage under the guarantee and protection of the Company and at the same time guarding him against any apprehension from this Government by thus pledging its faith that no encroachment shall be made on his rights by the Company".<sup>2</sup>

The "ally" word is always used either for a nation or King. Such word was never used for any Zamindar or  Jagirdar or a common man.

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1. Forrest, op.cit., II, p.459.

2. Home Pub., Letter from Court, Aug. 28, 1782, para 47, p.149.

Hastings himself observed, "To all this I strongly alluded in the minutes I <sup>delivered</sup> believed in Council, when the treaty with the new Vizier was on foot in 1775, and I wished to make Cheyt Sing independent, because in India dependence included a thousand evils".<sup>1</sup>

At a subsequent consultation, when the treaty of transfer was negotiated, the Governor General raised the question whether it would be made a condition of the new treaty that "Raja Cheyte Sing shall exercise a free and independent authority in his dominions, subject to the payment of tribute".<sup>2</sup> The question was resolved in the affirmative. It was decided that while "the Rajah shall continue faithful to the engagements and punctual in his payments, and shall pay due obedience to the authority of the Government, no more demands shall be made upon him by the Company of any kind; nor, on any pretence whatsoever, shall any person be allowed interfere with his authority or to disturb the peace of his country".<sup>3</sup>

By a sanad of the 15th of April, 1776, granted by the Company to the Raja, these sentiments were reduced to writing. The Raja was confirmed in the zamindari (Revenue), sami (Civil) and fauidari (Criminal) jurisdiction in the four sarkars.<sup>4</sup> The sanad was at the same time recognised to be a treaty.

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1. Speeches of Edmund Burke on Warren Hastings, vol.II, part II, p.222.
  2. <sup>Common's</sup> Select Committee, V, p.284.
  3. Home Pub., Letter from Court, Aug.28, 1782, para 47, p.149.
  4. Aitchison, op.cit., pp.48-49.

Though Hastings in his Narrative insisted that Chait Singh paid rent and not tribute and was a mere zamindar but in the past he seemed to have himself maintained that Raja of Banaras was some thing more. For instance, in 1775, he proposed that Chait Singh should pay his revenue at Calcutta and not at Banaras, because that course "would not frustrate the intention of rendering the Raja independent, and again it might eventually draw on him to the mean and depraved state of mere <sup>1</sup>zamindar". Again as late as 1781, he wrote to his agent Scott, "Something too will be required at Banaras and something more than I shall dare to attempt, for if it were left to my option, I would restore the Zamindary to the Nabab of Oude, either that ought be done, or the Raja reduced to the condition of <sup>2</sup>Zamindar".

Now, one might ask, can a person be reduced to a status which is already of his? During his impeachment Anstruther noted Hastings' insistence in the Narrative that Chait Singh paid a rent and not a tribute. Although he considered this argument meaningless, yet he had pointed out that in 1775 Hastings frequently spoke of the payment as a tribute.<sup>3</sup> Really there seems some justification in Grey's statement that Hastings never felt himself bound by any opinion beyond the moment, when it was advanced.<sup>4</sup> In

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Commons

1. Select Committee, V, pp.618-619.

2. Gleig, op.cit., p.383.

3. E.A.Bond, Speeches of the Managers and Counsel in the Trial of Warren Hastings, I, pp.320-321.

4. History of Trial, I, pp. 320-321.



any case, all this subtlety of definition is really besides the mark. The only important consideration is whether Chait Singh was treated with candour and consideration as a dependent of British in India. But at any rate, if any one, who values the point, will find that it was Hastings himself who laid stress upon it, and attempted to prove that Chait Singh was always looked upon as a ~~zamindar~~. But this fact is not established.

Every obligation of fidelity and allegiance was due from Chait Singh. These obligations of fidelity and allegiance were strengthened further by the additional ties of gratitude. This gratitude was due on account of superior advantages which the Raja was allowed to possess "in respect of a free and uncontrolled rule in his Zameedary, subject to a limited annual fine and the royalties of the mint and administration of justice and police, which ought to have as an additional claim on his fidelity"<sup>1</sup>. Here we have double confirmation of what was already confirmed and evidences furnished by Hastings proved that Raja possessed not only all the rights of a free and uncontrolled authority in his zamindari, which he had enjoyed under former sovereigns but he possessed them with superior advantages which the English Government had bestowed upon him. He possessed them subject to a limited annual tribute, with an exception from any other kind of exaction. It would perhaps be

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1. Hastings, op.cit., p.9.

convenient to point out that the sovereignty indicates a well ascertained assemblage of separate powers or privileges such as right to make war or peace, right to administer civil and criminal justice and the right to legislate and so forth. Sir Henry Maine says, "A sovereign who possesses whole of these rights is called an independent sovereign, but there is not, nor has there ever been, in International Laws, anything to prevent some of these rights being lodged with one possessor and some with another. Sovereignty has always been regarded as divisible".<sup>1</sup>

India abounds with instances of semi-sovereign states either in subordinate alliance with, or under the suzerainty of the British power. Therefore, from the above arguments it is quite evident that Chait Singh was an independent Raja. His relations with the East India Company were like other contemporary native independent rulers of India.

WAS CHAIT SINGH REBELLIOUS AGAINST THE BRITISH?

Burke says that in a paper which was published by Hastings, in justification of his act, he considered the Raja "to have been guilty of rebellious intention; and he represents these acts of contumacy, as he calls them, not as a proof of contumacy merely, but as proofs of a settled design to rebel, and to throw off the authority of that

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1. H. Lee Warner, Protected Princes of India, p.31.

nation by which he was protected"<sup>1</sup>. This belief he declared on oath to be the ground of his conduct towards Chait Singh.

Rumours and reports had also reached him that Chait Singh was in secret communications with the Marathas. His distrust had also increased by other things that had happened at that time. Whatever reasons and suspicions were, Hastings had determined, before he left Calcutta, "to make him pay largely for his pardon, or to exact a severe vengeance for his past delinquency"<sup>2</sup>. He considered his independent attitude, wealth, fortresses, military force and retainers and he decided that Chait Singh, as an overpowerful vassal had grown insolent and consequently a source of danger to the state. He even threatened to seize his treasures and forts and sell his lands to the Nawab of Awadh.<sup>3</sup>

The fact of the Governor General's resentment had long been known to Chait Singh and as soon as he was informed of Hastings' departure from Calcutta, he hastened to express his deep regret for the past and promise a better behaviour in the future. He further offered to place at the disposal of the Bengal Government a sum of Rs. 20 lakh and conducted himself in manner of a vassal he was expected to do. But Hastings, resolving to take Banaras on his way,<sup>4</sup> rejected the sum of money offered by the Raja.

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1. Burke, op.cit., pp.258-259.

2. Hastings, op.cit., p.9.

3. Burke, op.cit., pp.271-272.

4. Gleig. op.cit.. p.408.

On the 12th of August, when Hastings reached Buxur on the borders of Chait Singh's zamindari, the Raja received him with a large retinue in the hope of softening the heart of the Governor General. He even laid his turban on Hastings's lap. But no such display of real or seeming contrition could now turn the latter aside from the fixed<sup>1</sup> purpose.

The meeting was inauspicious for the Raja. But since the Governor General was bent upon chastising the Raja, the Resident at Banaras adopted the attitude of harassing the Raja on the plea of delay in the payment of his dues. The Raja became indifferent. Although it was not difficult for the Raja to pay off the extraordinary demand in time but he apprehended the danger of its continuation and the amount would have been collected only by subjecting his people to extortion.

The Raja had become suspicious of the wicked designs of Hastings and he made good preparations for taking revenge and collected his men in his fort at Ramnagar. It can be illustrated by the incident which took place later on. On reaching Banaras, Hastings refused the Raja's request for another interview and sent him a detailed statement of his offences, in which he reminded him that his failure to make prompt payment of the subsidy of 1780 in accordance with his promise had seriously endangered Col. Camac's detachment

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1. Trotter, op.cit., p.256.

which had been dependent on it and accused him of violating one of the conditions of his contract by permitting all manner of disorders to exist in his zamindari. He wrote to the Raja, "I pass over the instances of your conduct in which through the means of your secret agents you have endeavoured to excite disorder in the Government in which you depend, and your neglect of the duty which you owe to it, and to the subjects of this Zamindari, by suffering the daily perpetration of robberies and murders, even in the streets of the city of Banares itself, to the great and public scandal of the English name, and in violation of one of the conditions on which you received the confirmation of this Zamindari. But as the two foregoing instances amount to a direct charge of disaffection and infidelity to the Government on which you depend, and happened at a time in which it was your duty most especially to have exerted yourself in the support of its interests, I have therefore judged it proper to state them to you, thus fully in writing"<sup>1</sup>. An immediate answer was demanded.

The Raja refuted the charges but his explanation was not found only unsatisfactory but also offensive in style<sup>2</sup> and on this, the Governor General ordered Markham, the Resident at Banaras, to arrest the Raja. Two companies of

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1. Sec. Sel. Com., Sept. 4, 1781, III, p. 713.<sup>8</sup>

2. Ibid., p. 788.



sepoys were instructed to accompany Markham and assist in the execution of this service. The Resident executed the order and the Raja was put under arrest.<sup>1</sup> Chait Singh sent a secret message from his prison to his kinsmen at Ramnagar across the Ganges for effecting his release. When the information regarding the arrest of Raja was communicated to the Raja's troops at his palace, Ramnagar, the troops became infuriated. A good number of armed men from the palace of Ramnagar suddenly crossed the river and being infuriated by the indignity placed upon their ruler in his own capital, suddenly attacked and massacred companies of the British troops with their officers. The Company's<sup>2</sup> sepoy, having no ammunition, fell without resistance. About this incident Warren Hastings himself wrote to his colleague, "My regrets for the past are personal, I shall ever retain painful remembrances of the scene of blood<sup>3</sup> of which I have been too near a spectator".

In his narrative, Hastings says, "These were evidences of a deliberate and systematic conduct, aiming at the total subversion of the authority of the Company, and the erection of his own dependency on its ruins. That his Amils and Tenants, were encouraged and habituated to treat English passengers with inhospitality and with enmity".<sup>4</sup>

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1. Hastings, op.cit., p.21; <sup>Common</sup> Select Committee, V., p.478.
  2. M.S.K., No.172; P.A., II, No.115.
  3. See. Sel. Com., Oct. 18, 1781, III, p.798.
  4. Hastings, op.cit., p.7.

Contrary to it, Raja Chait Singh had always been submissive to Warren Hastings and had written several letters to him at Chunar expressing his regret for the massacre at Shewala Chat<sup>1</sup> and apprized him that the massacre was caused due to the insolent behaviour of Chat Ram, chobdar, which his men could not tolerate. But no reply on the part of Hastings disappointed him and compelled him to take arms against the English. Burke also testifies this fact and remarked, "His unfortunate victim was goaded to revolt and driven from his subjects, although he endeavoured by message after message to reconcile his cruel tyrant to him. He is told in reply, you have shed the blood of English man, and I will never be reconciled to you".<sup>2</sup>

From the nature of arms and ammunitions recovered from the Raja's troops, it appears that the Raja ~~was~~ <sup>had been</sup> ~~secretly~~ <sup>since</sup> making preparations for his defence ~~for~~ a long time. The account of Captain Blair and Warren Hastings' own testimony of arms, had revealed, "It is remarkable that enemy's artillery and catridges made at Rannagar<sup>3</sup> are almost equal to ours and their powder much better". They further stated, "Raja's troops had all the apparatus of our artillery, such as port fires, tubes, chain and quilted grape shots, etc. equal or nearly equal, to the

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1. Ibid., p.46.

2. Burke, op.cit., p.296.

3. Hastings, op.cit., p.103.

production of an European laboratory<sup>1</sup>". Although Hastings had a good system of espionage at the Raja's court, yet he had no information of these preparations.

The principal object of Chait Singh's rebellion was to oust and extirpate the British power and the recovery of Banaras Raj. Leaving Bijaigarh, Chait Singh went to Rewa, Mukundpur and from where he sent his yakil Naropant to Mahadaji Sindhia and Peshwa for seeking their help. He tried to meet Sindhia near Jhansi where the latter was stationed with a view to launching a fresh campaign against the British, with the help of Najaf Khan, whom Peshwa had already written a letter to cooperate with Chait Singh in overthrowing the British power. He also promised to pay twenty lakh of rupees to Sindhia towards the cost of the campaign.<sup>2</sup> On January 14, 1782, Naropant met Nana Fadnavis and presented him costly robes and a priceless necklace to the Peshwa.<sup>3</sup> In February, 1782, Chait Singh visited Sindhia's camp. His condition was pitiable due to the loss of his kingdom and Mahadaji Sindhia bestowed upon him agrar worth Rs.5 lakh.<sup>4</sup> The Raja was also willing to pay Rs.25 lakh to Sindhia to undertake a campaign for the recovery of Banaras but the latter demanded rupees seventy five lakh.<sup>5</sup> In April, 1785, Chait Singh visited Agra fort in the company of its commandant Mahadaji's son-in-law, Ladojee Deshmukh Shitole. Mahadaji Sindhia showed

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1. Ibid., p.40

2. P.A., II, Nos. 148, 151.

3. Ibid., Nos. 157, 158.

4. Ibid., III, No. 172.

5. Ibid., II, No. 157; M.S.K., No. 198, p.351., No. 351, p.477.

6. Ibid., IV, No. 188.

7. Akhbar Deorhi of Jahandar Shah, U.P.R.S.C. No. 182, Folios 32.

him unbounded consideration but he neither allowed him to appear in the Darbar nor presented to the Bhonsla when English envoy was there. Chait Singh became miserable and desired to leave the camp. Upon this, Mahadaji consoled him with false promises of undertaking the campaign of Banaras. Even if he planned to take Banaras, it was for himself than for Chait Singh. When English envoy pressed for his removal in 1787, Mahadji Sindhia withdrew all his considerations previously granted to him.<sup>1</sup>

The discontented Chait Singh tried to seek the protection of the Nawab Wazir of Awadh. The Begams of Awadh promised to help him with both men and money. They raised troops, caused levy to be made for Chait Singh, excited all the zamindars of Gorakhpur and Bahraich to rebellion and destroyed many parties of se oys. The amlas and favourites of younger Begam openly opposed and attacked Captain Gordon,<sup>2</sup> one of the English officers, stationed in the neighbourhood. On the 8th of September, eleven days before the treaty of Chunar was signed, Colonel Hannay wrote, "This town (Fyzabad) has the more appearance of belonging to Cheyt Sing than the Vizier. The Begams have placed guards to prevent any of my people going to the bazar in it. Within these few days Shaik Chasn, with near 1000 horse and foot, has marched from hence to Benares (they were raised here) and I must

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1. P.R.C., I, Nos. 59, 68, 69.

2. Gleig, op.cit., pp. 455-456.

confess that for my own part I have no doubt but Jower Ally Khan and Bahar Ally Khan, through their agencies, stirred up all the disturbances which extended from hence to Zowey Azimghur<sup>1</sup>.

From the above facts, it is evident that Chait Singh was quite submissive and obedient in the beginning but the malicious behaviour of Warren Hastings goaded him to revolt and throw a bold and open challenge to the English and to launch a strong campaign to drive them out from the soil of Banaras. But his hopes were shattered as he failed to receive a good response and full support from the native rulers on whom he had depended.

WAS HASTINGS JUSTIFIED IN LEVYING HEAVY TAXES ON CHAIT SINGH?

Grey had stated, "All the circumstance have proved two things; first, that the demand made by Mr. Hastings upon Chait Singh were contrary to fundamental treaties between the company and that Rajah and next, that they were the result and effect of private malice and corruption"<sup>2</sup>. These charges were endorsed by Macaulay, who, in furtherance of his arguments, stated that Warren Hastings acted from the very beginning in a settled design to ruin the Raja. "He was determined to plunder Chait Singh, and, for that end, to fasten a quarrel on him. Accordingly, the Raja was now required to keep a body of cavalry for the service of the British Government"<sup>3</sup>. He objected and evaded. This was

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1. Sec. Sel. Com; July 28, 1783, III, p. 1004.

2. Burke, op.cit., p. 256.

3. G. U. Forrest, Selections from the State Papers of the Governor General of India, Warren Hastings, vol. I, p. 220.



what exactly the Governor General wanted. He had now a pretext for treating the wealthiest of his vassals as a criminal.

Burke also agreed with the above views and remarked, "Mr. Hastings, having determined upon the utter ruin and destruction of this unfortunate prince, endeavoured by the arrest of his person by a contemptuous disregard to his submissive applications, and by the terror of still greater insults, he endeavoured, I say to goad him as to the commission of some of resistance, sufficient to give a colour of justice to that last dreadful extremity to which he had resolved to carry his <sup>1</sup> malignant rapacity". He argued that Hastings had no right to assume the character of Commander-in-Chief. "His assumption of military authority was a gross <sup>2</sup> usurpation".

2. That there was no professed object connected with Hastings' visit to Banaras which might not have been attained in Calcutta. If he had a mind to fine Chait Singh, he could have deputed Markham or Popham, the Residents at Banaras, for the purpose. In fact there was no necessity for his <sup>3</sup> presence there.

3. That he went there with four companies of sepoy, "poorly armed and ill provisioned" and thus "rashly hazard <sup>4</sup> his own being and the being of all his people".

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1. Burke, op.cit., p.292.

2. Ibid., p.286.

3. Ibid., p.287.

4. Ibid., p.289.

4. That he provoked the people of Banaras by arresting their Raja and thus "subjecting him to the highest dishonour and disgrace".<sup>1</sup>

But Colebrooke refuted the aforesaid charges and adduced the undermentioned reasons:-

1. The demand of a subsidy of five lakh of rupees in successive years to meet the cost of a formidable war was a very moderate one. That the Raja held his zamindari on easy terms which was proved by the fact that the revenue was raised to forty lakh on account of the accession of the fort of Bijai garh, where a huge treasure was deposited. The capture of Bijai garh closed the campaign.

2. His evasions were an act of contumacy that would have been resented by any Government in the world. In all steps taken to enforce the demand, Hastings had the support of the Council; even Francis himself never ventured to do more than to express a doubt as to the justice of the demand, and never recorded a dissent. Moreover, the requisition of the cavalry did not originate with Hastings. It was made at the suggestion of Sir Eyre Coote as a part of the defence of Bengal to furnish such cavalry as the Raja could spare for the service of the Government. He was informed that the service of the cavalry would be needed during the duration of the war only.

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1. Ibid., p.290.

3. Following were the circumstances, in which the extra demands made, were justified. In 1780 Hyder Ali, indignant at the violation of his territory by the Madras Government, declared war and poured his horde into the Carnatic, defeated one British army, and drove other from the field and took possession of the whole of the country. Messages were also received of the departure of a large<sup>1</sup> army from France to assist Hyder Ali in Carnatic.

The intelligence of these disasters reached Calcutta very rapidly and the urgent demands of the Madras Government for supplies of men and money were promptly met by the Governor General. The great difficulty which the Government experienced at this time was the want of funds to put their forces in motion.

4. It is to be remembered that at this time there was no distinction between the territorial and commercial liabilities of the Government. There was a bonded debt. It could not be replenished without trespassing on the fund, out of which the Company's annual dividend was paid and the first duty assigned to the Governor General was to raise the means of carrying on the war from supplies of the year.

5. It was under these circumstances that the Raja was asked to place some of his cavalry under the orders of

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1. History of Trial, p.16.

the British officers. The terms, in which the Governor General addressed the Rajah, were drawn up by the Council in words calculated to remove any suspicion that the demands would be treated as a precedent for future demand. After being frequently pressed by the Resident, it was reported to the Government that in the middle of January the Raja was unable to detach more than 250 horsemen, the remainder of his troops being required for the collection of revenue. The indignation of the Governor General knew no bounds. The Raja was known to have three thousand horses for the purpose of tax collection. To withhold the aid which was urgently needed was in view of Hastings not an act of contumacy but of disaffection.<sup>1</sup>

Pitt did not support the above arguments. But contrary to these, he abandoned defence of Hastings. "Admitting, he says, the supposed guilt of the Raja in delaying to pay an additional tribute demanded of him, punishment was utterly disproportionate and manifestly exorbitant".<sup>2</sup> Fox opened the charges which branded Hastings with wanton cruelty and gross extortion in his treatment of Chait Singh. "The whole", he said, "of Mr. Hastings conduct shows that he intended to punish Chait Singh with too much severity. That the intention he held to be criminal and on that ground alone, he should through with extreme reluctance, vote for

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1. Minutes of Evidence taken before the Committee of the House of Commons, 1783, p.97; 1792 p.1534; History of Trial, op.cit., p.16.

2. Ibid., 1792, p.1756.

the impeachment of Mr. Hastings"<sup>1</sup>.

Plomer also agrees with the views of Fox. The demand made upon Chait Singh was malicious. Hasting's pretension that there was war between the France and the British Empire was not correct, for he had no authentic instructions and his treasury was surplus by two crores of rupees and there was no necessity to make this demand upon Chait Singh.<sup>2</sup>

It is evident that in respect of the demands made upon Chait Singh Warren Hastings was unjustified on the following grounds:

1. That there were evil motives for these acts;
2. That Chait Singh was well affected towards the British, and
3. That Hastings had a preconceived malice against Chait Singh. (3).

Hastings wrote to the Raja that in consequence of war having been declared between France and England, it had been decided to call upon him for five lakh of rupees as his share towards the defence of the empire. This was the month of July 1778. Instead of informing direct to the Raja<sup>a</sup>bout the payment, Hastings directed the Resident at Benaras to make the matter known to Shaikh Ali Naqi, the yakil of the Raja. The Raja's yakil, assuming that

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1. Bond, op.cit., p.229.
  2. History of Irial, part I, p.14.
  3. Ibid., p.13.



he had the power for the payment of one year's subsidy<sup>1</sup> only, acceded to the demand of rupees five lakh.

In the meantime, it was stated by Francis that it would probably be less distressing to Chait Singh if the subsidy was to be realized by instalments and added to his ~~lists~~ or monthly payments. At length the payment of rupees four lakh seventy six thousand was made upon threat of<sup>2</sup> compulsory measures.

As the right to make the demand had been uncontested and the war was continuing, the demand was again renewed in July 1779. It was not resisted verbally. The Raja pleaded poverty and said, "you know that I have sold my house and pledged every thing I have that is valuable; but nevertheless I owe my existence to the company and will<sup>3</sup> comply". Graham treated his plea of poverty as idle and reported to the Governor General that he had been able to get not more than one lakh of tribute and he was convinced that unless force was used to compel the payment it would never be done. The Governor General took up the matter with high hand, and moved the council that the Commander-in-Chief be directed to issue an order for the march of his battalions to Banaras. In consequence, Colonel Canac's troops were ordered to march from Dinapur to Banaras to coerce the Raja for the payment of the subsidy. The Raja paid the

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1. Ibid., p.14.

2. Ibid.

3. Ibid.

subsidy of rupees five lakh and a fine of rupees 20,000 inflicted for the expense of the troops. Thus within four months he speedily complied with the requisition.

As the war had been still continuing, on the 12th of June, 1780, the demand in Council was again resumed. Hastings expressed his desire for early payment, as he wanted to march his troops into the territory of Mahadaji Sindhia and thus to strike a blow to distract the confederacy and power of the Marathas. It was a well known object of Hastings and Chait Singh was also aware of it. It was one of those sure marks of vigorous policy that had contributed to the salvation of British possessions in India.<sup>1</sup>

Chait Singh had, just before the present demand, offered a sum of rupees two lakh - whether as an intended propitiation for his former dilatory conduct, or with a view towards the annihilation of any renewal of the demand of the annual five lakh of rupees. But Hastings directed his yakil not to accept it.<sup>2</sup>

When his favourite plan against Mahadaji Sindhia came before the Board for consideration, Francis and Wheeler opposed it, "On account of the low state of treasury, which so far from allowing them to form new enterprizes and expensive operations, was inadequate to the current services".<sup>3</sup> Hastings revoked the purpose of his former declaration to the Raja and resolved to accept the two lakh tendered by Chait Singh.

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1. Ibid.

2. Ibid; Minutes of Evidence, 1788, p.96.

3. Ibid.

For the expediency of the measure Hastings pledged his fame and honour. He entered the Council and observed, "Your repugnance to my attacking Madajee Scindia arises from want of money - there is the money, and now let me pursue my original plan"<sup>1</sup>. The opposition was withdrawn. The troops marched. The usual demand was again renewed on Chait Singh and he was threatened to pay an additional lakh by way of fine, if he resisted. The Raja paid the amount with the usual introvention of paupery letters and periodical instalments.

Chait Singh, naturally from his point of view, protested against the demand but paid the money after slight delay<sup>1</sup>. The money, at any rate, was paid by the 10th of October, 1778, the 21st of October, 1779 and the 20th of October, 1780 respectively.

In 1780 on the very day that he paid the last demand of rupees five lakh, a new demand for 2000 cavalry was made upon him. Though on June 12, 1775, Hastings laid before the Council a minute on the relations to be observed with Chait Singh which was concluded with these words, "that while the Rajah shall continue faithful to these engagements and punctual in his payment and shall pay due obedience to the authority of this Government, no demand shall be made upon him by the Hon. Company, of any kind, or on any pretence whatsoever nor shall any person be allowed to interfere

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1. Ibid., p.15.

with his authority or to disturb the peace of the country.<sup>1</sup>  
The Council further recommended him "to keep up a body of  
20,000<sup>2</sup> horses but there would be no obligation on him to  
do so".

This is another charge of refusal to the supply of  
cavalry which Hastings demanded. This demand was unjust  
and as such Hastings had no right to make.

That notwithstanding any such agreement, the Company,  
as Grey puts it, "The right, which is inherent in all sove-  
reigns to ask for additional aid from all vassals as often  
as the necessities of the requirements".<sup>3</sup> If this claim was  
to be pressed to its logical extreme, then it was perfectly  
idle to grant Chait Singh any agreement at all. If this  
theory of exceptional additional aids were justifiable,  
surely it ought to have been a general tax on all the zamin-  
dars under the Company's rule. As Grey said, "Under no law,  
could it ever be deemed competent for the sovereign to make  
a partial, perhaps a vindictive selection of any rich and  
powerful individual, to impose on him such part as he might  
think proper of the public burdens, without making a propor-  
tionable equitable division of them, according to their  
different abilities, among all classes of his subjects".<sup>4</sup> In

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1. Commons Committee, V., p.456.

2. Ibid., p.489.

3. Bond., I, p.271.

4. Ibid.

regard to this point defence impaled itself upon a hopeless dilemma. Hastings' answer was that there was no other person in the situation of Chait Singh. Then, what, we may ask becomes theory that there were many better in situation than him in Bengal.

Hastings first demanded two thousand cavalry, then fifteen hundred and afterwards one thousand. To the last demand, Chait Singh made an offer of five hundred cavalry and five hundred matchlockmen and wrote to Hastings that these troops were ready to go to whatever places they should be sent. To this letter Chait Singh refuted that he received no answer and Hastings in his Narrative admits the fact, "I do not know but it may be true. He had received positive orders and those had been repeated. It was his duty to obey them, not to waste my time with letters of excuse"<sup>1</sup>. But quite apart from the question whether the demand was justified or not, Grey, one of the managers of impeachment is surely right in saying that, "Till Cheit Sing could know whether his offer was accepted or not, he can hardly be said to have absolutely refused compliance or to have merited any censure or punishment, atleast such punishment as Hastings thought fit to inflict"<sup>2</sup>. The sequel is well known. Hastings decided to inflict upon the Raja the immense fine of rupees fifty lakh. In his own words, "I was resolved to draw from his guilt the means of relief to the Company's

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1. Hastings, op.cit., p.27.

2. Bond, op.cit., p.273.



distress. In a word, I had determined to make him pay largely for his pardon or to exact a severe vengeance for his past delinquency<sup>1</sup>. Chait Singh always showed extreme coolness in his behaviour and submitted to the Governor General.

The proceedings against Chait Singh were unjust in principle but the mode of enforcing such questionable claim was harsh, the increased demand in the fourth year was unreasonable in itself and alarming for the future, and the rejection of all offers of submission towards the end turned the scale beyond all questions against the Government.

Hastings himself, in a letter to Thompson, pithily summed up the whole issue thus, "I have been declared guilty of high crime and misdemeanour in having intended to exact a fine too large for the offence, the offence being admitted to merit a fine from Cheyt Sing"<sup>2</sup>.

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1. Hastings, op.cit., p.9.

2. Trotter, op.cit., p.299.

### CHAPTER - III

#### MAHIP NARAYAN SINGH AND UDIT NARAYAN SINGH

##### RAJA MAHIP NARAYAN SINGH (1781-1795):

The question of succession having been opened by the deposition of Chait Singh, the Governor General installed Raja Mahip Narayan Singh, the grand-son of Raja Balwant Singh, as the Raja of Banaras on the 30th of September, 1781. His father Durgvijai Singh was invested with the office of the naib.

The Raja was made a nominal head and the responsibility of administration was vested in the naib.<sup>2</sup>

By a sanad issued on the 14th of September, 1781, the province of Banaras was granted to him in perpetuity by the East India Company on payment of an increased tribute of <sup>3</sup> Rs. 40 lakh in Banaras Sicca rupees annually to the Company. The Governor General had resolved not to allow Mahip Narayan Singh "the exercise of any privilege or authority on which an opinion of independency could be founded".<sup>4</sup> Accordingly,

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1. Ghazipur Correspondence, April 2, 1788, vol. No. 184, pp. 1-2; Hastings, op.cit., p. 51.
  2. C.C. Davies, Warren Hastings and Oudh, p. 146.
  3. Aitchison, op.cit., p. 47.
  4. Hastings, op.cit., p. 33.

some of the important rights of Raja Mahip Narayan Singh were curtailed. His powers of civil and criminal jurisdiction in the town of Banaras were completely withdrawn. The control of mint was removed. The annual tribute was raised from twenty-two and half lakh of rupees to forty lakh of rupees.<sup>1</sup>

It appears from a letter, dated November 17, 1781, addressed to Babu Ausan Singh<sup>that</sup> the Governor General was displeased with him and directed him to leave Banaras and proceed to Saidpur.<sup>2</sup> The Governor General also complained to Durgvijai Singh, father of Mahip Narayan Singh, that Babu Ausan Singh was bent upon upsetting his plans with regard to the affairs of Banaras Province and advised him to dismiss all persons who had been appointed by Babu Ausan Singh in connection with the management of the zamindari and substitute his own nominees in their places.<sup>3</sup>

On April 25, 1782, Hastings complained to Babu Durgvijai Singh that he was amazed to learn about the robbery committed in Banaras by a gang of decoits<sup>a</sup> in which twenty two persons were either wounded or killed. It was also reported to the Governor General that the culprits looted Rs. 2000 from a certain shop and fled into the mafussil. Babu Durgvijai Singh was directed to trace and apprehend the

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1. Hastings, op.cit., p.33.

2. C.P.C., VI, No.296.

3. Ibid., No.297.

absconders and place them before Ali Ibrahim Khan, the Chief Magistrate of Banaras, for trial. Any mistake in this regard would be attended with grave consequences.<sup>1</sup>

On August 15, 1782, Babu Durgvijai Singh informed the Governor General that as Ali Ibrahim Khan's authority was confined to Banaras only, he could not go outside the jurisdiction to apprehend the culprits and punish them. However, he had directed all the zamindars to trace the decoits and take fresh muchalka from them. He had also issued proclamation that any one causing the culprits to be brought to book would be rewarded a hundred rupees in cash and a hundred bighas of land for each decoit arrested. But no trace of decoits was found.<sup>2</sup> Mr. Markham repeatedly reported Babu Durgvijai Singh about the oppression committed by the amils and his remissness in the duties entrusted to him but for long he took no notice of the complaints. Complaints were multiplying and the entire affairs had become alarming. Babu Zalim Singh, who held the charge of parganas of Zamania, Bhadohi, Chauhari, Keraket and Sorson, was one of those who was responsible for these evils. Among others Raja Shanker Ralla was creating mischief in pargana Mau, Bhagwan Rao in Saidpur, and Buniyad Singh in Kunda. Babu Durgvijai Singh was directed to apprehend and bring these men to Banaras and cause an enquiry to be made against them. If they were found guilty, they were to be adequately punished.

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1. Ibid., No. 466.

2. Ibid., No. 579.

Babu Durgvijai Singh was advised to apply himself more diligently to the affairs of the rai, for he alone was to be held responsible, if the payment of ciats was delayed, the ryot oppressed or the estate suffered by diminution.<sup>1</sup> It appears from the letter of Hani Gulab Kunwar, dated December 15, 1782, that Markham did not allow the arrears to be collected from the malguzars. Babu Durgvijai Singh repeatedly suggested to Markham the measures by which the arrears might be realized and settlement made for the current year. But his advice was not listened to.<sup>2</sup> It also appears from the letter addressed to the Governor General by Raja Mahip Narayan Singh, dated December 15, 1782, that payment of ciats was held up due to the instigation of Markham who did not allow the arrears of the revenue to be collected from the defaulters and declared that Babu Durgvijai Singh was unfit for the work. Markham accused the Babu of having misappropriated public money to which the latter replied that the allegations might be thoroughly investigated. But no inquiry was made. On November 10, 1782, Markham sent two companies of Telengas and put the Babu under arrest on a charge of embezzlement in respect of several lakh of rupees. Markham appointed his own mutasaddis and khazanchi<sup>n</sup> for realizing the collections of the current year and removed the records of the Babu's establishment to his own place. Jagat Deo Singh was appointed as naih so that the

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1. Ibid., No. 558.

2. Ibid., No. 640.



work of the current year might not be retarded.<sup>1</sup>

On October 2, 1788, Jagat Deo Singh reported to the Governor General that he had already collected forty lakh from the country without alienating the ryot, yet Fowke was hostile to him. He encouraged the gails to refuse payment of the outstanding balances, and advised them to abscond, if any pressure was put on them. Naturally, they took the advantage of the situation and collection was hampered. Raja Mahip Narayan Singh, Durgvijai Singh and Ausan Singh were united with one another in placing obstacles in this way.<sup>2</sup>

Jagat Deo Singh was succeeded by Ajaib Singh, who died on April 2, 1787. It appears from a letter of Sheo Prasanna Singh, son of Ajaib Singh, dated April 18, 1787, addressed to the Governor General, that on the very day when Ajaib Singh died, the servants of Raja Mahip Narayan Singh came to the former's house and asked to deliver the seal of nishat to them. Sheo Prasanna Singh told them that he was overwhelmed with grief and that after a fortnight he would comply with the orders. Again on April 5, 1787, James Grant accompanied by Nawab Sher Jang, daroga of the Banaras Mint, and others came to Sheo Prasanna Singh and asked for the seal and office papers. Sheo Prasanna Singh

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1. Ibid., No. 641, 1230.

2. Ibid., No. 856.

requested them to be excused till the mourning period was over, but James Grant ordered Shanker Pandit and Umrao Singh, mutasaddi of the Raja to take hold of the seal and papers. Sheo Prasanna Singh did not desist and delivered<sup>1</sup> all that was demanded of him.

It appears from a letter of Raja Mahip Narayan Singh, dated May 2, 1787, that James Grant appointed Shankar Pandit, his own mutasaddi, as the naib of Banaras on the 16th of April, 1787. He had also issued orders that no business should in future be conducted without the seal of the Pandit and his own signature. Thus the Raja was bereft of all authority. He had been managing the affairs of the Government so far independently. The naib, Ajaib Singh, who had died recently, had nothing to do with the administration of Raja's affairs. The use of the seal of niabat had ceased two years ago. The Resident now began to interfere into the affairs of the Raja, which hampered the collection of revenues and brought disgrace to the Raja.<sup>2</sup>

Hastings visited Banaras in March 1784. He stayed there for five days. After his return from Banaras, he sent a long report to the Council on the 2nd of April, 1784, about the wretched condition of the Banaras Province. He reported, "The administration of Province is misconducted and the people oppressed, trade discouraged and the revenue

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1. Ibid., VII, No. 1293.

2. Ibid., Nos. 1319-1320.

though said to be exceeded in the actual collections by many lakhs is in danger of a rapid decline from the violent appropriation of its means. The naiib or manager is unfit for his office. a new manager is required and a system of official control<sup>1</sup>".

Hastings forwarded to the Council an elaborate plan for reforming the administration, for making the Raja more directly interested in its working, and for the appointment of new officials.

Under the provisions of this plan the Raja was declared to be the principal head in all official acts of the zamindari. All accounts, reports and other official business were liable to be inspected by him. His name, seal and signature were to be affixed on for the authentication of all orders and instruments issued.

That Babu Ajaib Singh, brother of Rani Gulab Kunwar, the widow of Raja Balwant Singh, was appointed as naiib or deputy of the Raja, with the entire management and administration of the zamindari and his approbation was to be added to all instruments to which the Raja's signature was fixed.

That Ali Ibrahim Khan was appointed amin or Inspector to assist the naiib in the formation of settlement, appointment of amils or officers of the collections and other important measures relative to the zamindari which the naiib

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1. Sec.Sol. Com., April 20, 1784, p.1084.

was required to report to him for that purpose.

That the ganungos of every pargana were required to receive and represent the complaints from the ryot and if these were well founded, they were required to refer them to the amils and in case of the amil's neglect or inattention, they were to transmit the same to the amin, who in turn, was to refer them for enquiry to the naih. The ganungos were to send the abstract accounts to the amin, who caused them to be registered and preserve them for perpetual records.

That Fowke was to receive from the Raja and his naih the monthly payments of the Company's revenue in Machhalidar Rupias and give receipt for each. The Raja and his amils were to report to him the names of the amils who were chosen for the management of the districts, the plan formed for the settlement of the revenue and other business relative to the Zamindari. The amils were to receive their appointments and investiture only from the Raja and his naih. If any complaint was made to Fowke, he was to refer them to the naih and these were required and decided in the manner<sup>1</sup> mentioned in the above paragraphs.

That the Raja and his naih were required to establish kachahari of office of treasury for the madani or current receipts of revenue and Fowke and Ali Ibrahim Khan were to

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1. W.B. Forrest, Selections from the Letters, Despatches and other State Papers, (Foreign Department), vol. III, p.1098.

appoint a mutasaddi jointly, or one on the part of each, who were to sit in the kachehari and keep a separate copy or copies of the accounts of the daily receipts and disbursements.

That after payment of the stipulated dista or monthly sums due to the Company according to the fixed agreement with the Raja and necessary provision made for the allowances of the officers and current expenses of the collections, the surplus amount was to be appropriated to the private expenses of the zamindari, such as laccavi,<sup>1</sup> the repairs of forts, bridges and other public works.

While submitting the plan for the sanction of the Council, Warren Hastings in his letter, dated the 13th of June, 1784, wrote to Mr. Wheler, President of the Council, "I do not propose this as a permanent arrangement. I will be answerable for its effects as temporary expedient".<sup>2</sup> While recommending the plan for the approval of the Council, Mr. Wheler had observed, "The Raja was represented as incapable of the management of his Zamindari and if he was otherwise, the transfer of management from him to any other person could not have been done with any show of justice. His incapacity had long been realized and it was also known that the "Raj" was bestowed on him in the year 1781, merely because he was the next lineal heir to it".<sup>3</sup> He was considered

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1. Ibid.

2. Ibid., p. 1101.

3. Ibid.



in the light of a minor Amindar, who had the nominal charge of the country by right of inheritance. The office of Naib was given to Durgvijai Singh, the father of Raja Mahip Narayan Singh, who behaved badly and was guilty of oppression and was therefore removed from the niabat at the end of 1782. He was succeeded by Jagat Deo Singh, against whom representations were made to the Governor General that he was oppressive. The Governor General proposed his removal from the office. He further pointed out, "The Governor General's plan is temporary expedient and may be approved, as he pledges himself for his success".<sup>1</sup>

I may point out here that this arrangement was the beginning of that "dual authority", which ultimately resulted in the complete annihilation of the rights of the family of the Raja in four sarkars. Although, this arrangement was distinctly stated to be a "temporary expedient". It was the thin end of the wedge.

In 1784 Warren Hastings resigned and Sir John Macpherson, the Senior Member of the Council, acted as Governor General for twenty months, until the arrival of Lord Cornwallis. During his tenure no alterations were made in the Temporary Settlement introduced by Warren Hastings. The tribute was regularly paid by the Raja through the Resident.

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1. Ibid., p.1101.

In 1786 Lord Cornwallis became the Governor General of India, and in the following years he visited Banaras. On the 14th of August, 1787, he wrote to the Right Hon<sup>1</sup> Henry Dundas, "The Resident, although not regularly vested with any power enjoyed almost absolute Government of the country without control. His emoluments, besides one thousand rupees per month allowed to him by the Company, certainly amounted to little less than four lakhs a year, exclusive of the complete monopoly of the whole commerce of the country with the power of granting parwanahs, etc".<sup>1</sup> It is not surprising, therefore, that Lord Cornwallis found the general administration of the country in a state of neglect and disorder. As such he decided to remove the Resident from his post and appoint a successor.

On the 31st of August, 1787, Jonathan Duncan was appointed as the Resident and acted as the "Coadjutor"<sup>2</sup> of the Raja, with increased authority. He was specially instructed to take measures to educate the Raja in the administration of his country, with a view to restoring to him the uncontrolled management of its affairs, as soon as possible. The Resident was also empowered to take the land revenue settlement in his own hands making the Raja as much as possible a party in it, as after its completion he might be more fit to superintend the administration of his country.<sup>3</sup> The Resident was also desired to establish

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1. C. Ross, Correspondence of Charles, First Marquis Cornwallis, vol. I, p. 270.

2. Ibid., vol. II, p. 34.

3. A. Shakespeare, Selections from Duncan Records, vol. I, p. 133.

courts of justice in the towns of Ghazipur, Mirzapur and Jaunpur under Raja's authority.<sup>1</sup> During his term of office, he tried to improve all the branches of administration. He enforced law and order and brought certain amount of security particularly in the city. He also paid attention to the improvement of the sanitation of the city. On August 24, 1790, the public peace of the city of Banaras was disturbed, as he promulgated a Regulation for keeping the city clean. A boisterous mob collected on the out-skirts of the city and tried to persuade the merchants and traders to observe hartal but the situation was brought under control.<sup>2</sup> He was required to exert himself to place the administration of the province on a sound basis. On the 6th of July, 1789, the Resident waited on the Raja and convinced him to commit the entire charge of the interior administration and collection of revenue to him, "Till he was satisfied of the safety of such a measure but as soon as he had obtained such a satisfaction and confidence, it would afford him a real gratification and prove also a great relief to this agent on the spot to recommit to the Rajah the charge of his country".<sup>3</sup> The promise to restore the Raja to uncontrolled administration of his country was made very often but it was never done.

It remains to be seen how far these laudable sentiments and assurances were carried into effect. The progress actually

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1. Ross, op.cit., p.529; Shakespeare, op.cit.,

2. B.R.C., August 24, 1790, pp.457-458.

3. Shakespeare, op.cit., p. XLV, Appendix.

made was in a direction opposite to that professed, as will appear from the following extract from the report of Mr. Reade, <sup>the</sup> then Commissioner of Banaras, dated October 31, 1853. He says, "Previous to that year (1781) the Resident had not interfered in the administration of civil or criminal justice, or in the settlement or collection of the revenue. But between that year and 1794, the Resident from being first the adviser and then associate with the Raja in the General administration at length became invested almost with supreme powers of control, the authority of the Rajah being recognized rather as a matter of courtesy than of fact".<sup>1</sup> The Raja had to hand over even the revenue and judicial administration to the Resident.

Mr. Duncan was apparently chafed under restrictions imposed by the system of "dual control". He had no legal authority to act independently of the Raja, and the necessity of obtaining the latter's consent, interfered with his desire to effect necessary and pressing reforms in the administration. This desire was also hampered by the fact that the Raja, who was from birth a mental weakling, became subject to fits of epilepsy, which gradually reduced him to a state of hopeless imbecility. To the incapacity of this successor of Raja Chait Singh to control his officers and affairs was further added by his dependence on the nain and to irregularity in the conduct of his subordinates. His difficulties were supplemented by an improper selection

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1. Proceedings of the Board of Revenue, November 22, 1850  
Cons. No. 44, p. 71.



of the mills, and their resultant due to frequent changes in the office of the Resident, whose conduct the Governor General himself disapproved. The province was almost reduced to a state of desolation.<sup>1</sup> The villages became depopulated and barren of all cultivation. The revenues of the Province dwindled to a dangerously low figure, so much so, that they could not suffice to meet the ordinary expenses of the administration, or the payment of the Company's tribute of Rs. 40 lakh which was the charge on the zamindari. This tribute consequently fell in arrears, which drew the serious attention of the Board to this most unsatisfactory state of affairs. The Board impressed on the Resident the paramount necessity of improving matters in any way possible. The Resident, after mature consideration, came to the conclusion that unless certain drastic fiscal and judicial reforms were immediately carried out, there were no hope for the unfortunate country to be saved.<sup>2</sup> At the commencement of the rainy season of 1788, Duncan became convinced that a thorough and complete reform of the revenue system was absolutely necessary for the restoration of the country to prosperity and security of the Government. On the 18th of June he had an interview with Raja Mahip Narayan Singh, and laid before him a confidential memorandum containing his plan for reforms. A week later, on June 25th, the Resident "in consideration of the present season of the year and the circumstances of the country, and of its decayed and decaying state and the necessity of reform"

Commons

1. B.R.C., June 17, 1789, pp. 385-386; Select Committee, V, p. 667, col. 2.

2. SAUP Resident's Correspondence, June 17, 1789, pp. 160-71.

submitted a plan containing twelve regulations for the consideration of the Raja.<sup>1</sup>

A meeting took place between the Raja and the Resident. The Raja raised some objections to the carrying of the proposed regulations into execution particularly in regard to the draft of the patta. The Raja exhibited certain accounts of the state of current revenues to enforce his arguments against the plan for the new cultivation as recorded before, on which the Resident caused the State of the Settlement and balances of the current year to be prepared and the estimate of the probable ways and means to liquidate the current year's revenue. The Resident had little or no doubt that if the Raja should decline, he should himself be able to carry into execution the plan proposed for the improvement of the country and at the same time to collect the full and entire balance of the Government.<sup>2</sup>

Whether the Raja agreed to this plan or not, the Resident influenced Jagat Singh, the farmer of Sheopur and Katehar, the two parganas next to Banaras, to issue new form of patta throughout his parganas. Jagat Singh agreed to the proposal because he considered that much good would result from it.<sup>3</sup> But the daul system of the Government stood in the way of reforms. The Raja, being the 'de jure' ruler

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1. Ibid., June 25, 1788, pp. 492-504.

2. Ibid., June 29, 1788, pp. 590-591.

3. Ibid., p. 591.

of the state, had no real power in his hand, and the Resident, though 'de facto' administrator, had no authority to act independently of the Raja. This critical condition of the country at the same time could brook of no delay. The position was thus one of despair. As a consequence, the Resident became determined to carry out the necessary reforms, at all cost, in order to restore the prosperity of the country and the confidence of its inhabitants.

Lord Cornwallis became anxious to introduce his favourite scheme of Permanent Settlement and of the establishment of courts of justice on English model in the Province of Banaras. On November 3, 1788, he wrote to the Court of Directors, "After becoming acquainted with the alarming state of decay into which the country had fallen, and with the prevalent defects and vices in its internal Government, I entertained no hopes of obtaining an hearty concurrence and assistance from the Rajah in their correction, because I believed him to be, like most of the chiefs of this country, too jealous of his own personal importance to assent with sincerity to rules which included the very necessary regulation of his own conduct, and too little capable of comprehending the ruinous consequences to his own private interests which must ultimately arise from an irregular and capricious system of Government. On the other hand, having no

intention to attempt to increase the present revenue or actual power of the company in Banaras, I proceeded with confidence to authorize the measures of reformation which are described in public records; and I hope they will, by promoting the improvement of the commerce and cultivation, tend to give permanency to the Company's revenue, and to add considerably to the profits and income of the Rajah himself, whilst I likewise trust that experience will prove that they have been well calculated to protect the mass of the inhabitants against the miseries, so common in this quarter of the Globe, of oppression and injustice".<sup>1</sup> In other words he wished to demonstrate his model scheme at Banaras.

But these objects, which involved radical changes in the general administration, were not easy to carry into effect. The proposed changes could, therefore, be effected constitutionally in only one of the two ways; they might be either, introduced by the Raja himself, or he might formally authorize the British Government to do so. Things being as they were, it was not to be expected that the former course was at all practicable but the Resident felt sanguine that the latter procedure was within his power to accomplish, if he applied himself to the task with his customary skill and determination. He promised to the Government "to gain in due time his ultimate assent to the wishes of Government".<sup>2</sup>

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1. Ross, op.cit., p.532.

2. B.R.C., July 22, 1794, p.166.



With a view to carrying out the proposed scheme with constitutional propriety, Duncan endeavoured to obtain the "assent" of the Raja to the introduction of the new system. The Raja acting under the advice of his grandmother, Rani Gulab Kunwar, widow of Raja Balwant Singh, acquiesced to the proposal, which was reported to the Governor General in Council by the Resident, thus, "On the 23rd of July, the Raja being himself confined to his house at Rannagur, the Resident reviewed the subject of the probable introduction of the new system to Sookh Lal (the Raja's principal Mutsuddi stationed in the Resident's Cutcherry) and desired him to proceed to Rannagur to propose it to the Raja, with a view to obtain his assent whenever the Board should resolve on its establishment according to their advice thereof in the letter of 3rd of March last; as to which he (Sookh Lal) said he entertained little or no doubt provided the Raja's signature to Pottah, and Farigh Khattis and other revenue papers were allowed to remain current as at present. This the Resident had, on his part no difficulty of assuring the continuance of, as there can neither evil or inconvenience result from it, since the Raja's signature on these writings, are merely affixed as a matter of course, after that of the Resident, without any control or interference on the part of the former, as far as respecting the granting or issuing of such deeds".



On the 25th of July, 1794, Sookhlal reported, "He had been with the Raja as desired and had renewed the subject of the intended introduction of the new system, whereupon the Raja had remained for some time silent as in reflection after which he (the Raja) did himself propose to proceed with Sookh Lal to the Ranee and ask her opinion. They accordingly went thither; when the Raja explaining to the Ranee Goulab Koorur, his grand mother, the tenor of Resident's proposition, she asked him what he himself thought of it; to which the Raja replied that during six years of the present Residency he had scarcely been made sensible of or felt any irksome diminution of his authority, and that he was now, also, for agreeing to what the Resident had proposed, as thinking likewise, the plan in itself a good one. Whereupon the Ranee said, it had also her concurrence, and thus it was on both their parts fully agreed to, but Sookhlal adds that as the Raja and he were about to withdraw, the Ranee desired him to notice to the Resident that Mr. Hastings having concluded a permanent settlement with the Raja, she was thereupon hopeful that surplus receipts from the country might be enjoyed by the Raja, and the Resident asking Sookh Lal, whether this intimation was as a condition of the other acquiescence, he answered in the negative, and by explaining that it was merely an observation thrown out by the Rane<sup>ee</sup>, as naturally connected with the occasion, and on which she and the Raja would both submit themselves to the

judgment of the Resident or of the Government".<sup>1</sup> On the 19th of September, 1794, the Board intimated their highest satisfaction at the successful result of his communication with the Raja on the important subject of the introduction of the arrangements which were already in force in Bengal and Bahar, into the Banaras province, and remarked that it would enable them to perpetuate <sup>for</sup> ~~to~~ the inhabitants of this valuable part of the British possessions, the benefits which they had experienced from Duncan's administration.<sup>2</sup>

On the 27th of October, 1794, a formal agreement giving effect to the so-called "assent" was entered into between the Raja of Banaras on the one part and the Resident on behalf of the British Government on the other part.

Articles of the Agreement:<sup>3</sup>

Out of the surplus revenues of the province, which were not expected to be less than one lakh and forty thousand, one lakh was to be left to the Raja and the remaining sum utilized by the Government for the erection of bridges, repairing of roads, maintenance of Hindu college and other public works.

Since the revenue settlement of the lands had taken place with the approbation of the Raja, the pattaka, receipts and farish khatti or acquittance thereof, were to be

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1. B.R.C., op.cit., pp.452-453.

2. Ibid., Sept. 19, 1794, pp.110-112.

3. Ibid., October 27, 1794, pp.451-456.

passed under his seal and signature to the amils, zamindars and farmers.

In cases of complaints arising out of revenue matters and charity lands, etc. being preferred to the British Government by any party residing within the jagir and 'altanchara' land, etc. (the personal and private lands of the Raja), such cases were to be conducted amicably between Duncan and the Raja and settled through the channel of the Raja or of the officers of the Raja's kachphari. It was also incumbent on the collector in proper and just causes to show the utmost attention to accommodate the Raja and to keep in view the maintenance of his honour and dignity. If any difference of opinion arose, between the collector and the Raja, the matter was to be referred to the Governor General in council, whose decision was final.

The Resident did, however, succeed in carrying out the necessary judicial reforms. He recommended to the Governor General that the administration of justice in the districts of Ghazipur, Jaunpur and Mirzapur should not be left in the hands of the amils but separately provided for by the appointment of Indian judges of good character. Accordingly, courts of justice on English models were established in the districts of Ghazipur, Jaunpur and Mirzapur on behalf of the Company. He appointed Maulavi Umar Ullah as Judge and Magistrate of Ghazipur on January 27, 1788,<sup>1</sup> Mufti Karimullah

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1. Ibid., March, 1788, pp.144-149.

Khan as ~~judge~~<sup>1</sup> for Jaunpur and its suburbs on March 1, 1788,  
and Lala Bakshi Singh for Mirzapur on March 31, 1788.<sup>2</sup> These  
judges were sworn in the customary way in the presence of  
the Raja.

The British Government was actually administering the  
country in the name of the Raja under the shadowy authority  
of the constitution through the Resident, assisted by three  
other British officers, stationed at each of the three capi-  
tal towns of the Sarkars of Chunar, Jaunpur and Ghazipur.  
The Raja had the nominal charge of the country. The Resi-  
dent used to take him on circuit and make him as much as  
possible a party to the Settlement. For this purpose the  
Raja had established his office or registry in the Resident's  
kachhahari where copies of such documents and accounts were  
kept which were discussed and prepared. The main object of  
such circuit was to flatter the Raja, who furnished him with  
complete information of the State of zamindari and gave his  
assent to all the proceedings.<sup>3</sup> Thus he had legalized the  
Resident's proceedings, by affixing his signature and seal  
to all documents after that of the Resident.

There were independent Courts of justice in various  
parts of the province, dispensing justice on the lines of  
the Company's courts in the adjoining province of Bihar,  
and presided over by the Native Judges. The Land was

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1. Ibid., pp. 181-183.

2. Ibid., pp. 291-293.

3. Shakespeare, op.cit., pp. 139, 142.



permanently settled. The Raja was in receipt of the major portion of the surplus revenues of the sarkars. The promise of the Government to restore the Raja of the uncontrolled administration of the country as soon as the fiscal and judicial reforms were completed, stood good, as "the leading principle in the Government political connections with the Raja, which they should ever be happy to revert to when he was capable of acting himself"<sup>1</sup>. The agreement of 1794 consolidated all those existing arrangements and gave then the required legal sanction which was wanting. This agreement also served to save the Government from an awkward position, which it had created for itself, by not redeeming its solemn promise to restore the Raja to the permanent management of his country, by a certain specified date.<sup>2</sup> The Raja could no longer claim it under its provisions.

The Raja had no right or authority to enter into any agreement. He had permanently deprived of his family and from their valuable possessions, to which he himself had succeeded by happening to be the next reversionary heir, after two of the rightful heirs to the Raja had waived their claim in his favour.<sup>3</sup> The four sarkars were granted to the Raja and his successors in perpetuity and as such he had alone no authority to enter into any arrangement affecting his successors, more especially when he had three sons living at that time.

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1. Ibid., p.51.

2. Ibid., Appendix C.

3. B.R.C., Oct., 1794, pp.461-466.



Raja Mahip Narayan Singh was succinctly described by Lord Cornwallis as "fool".<sup>1</sup> Though perhaps not wholly devoid of understanding, his mind and body were alike feeble. He was timid, vacillating and suspicious. The fate of Raja Chait Singh seems to have been always <sup>weighing on</sup> ~~wavering in~~ his mind and to have made him fearful of offering open resistance to any strongly expressed wish of the Government or of the Resident. But occasionally a fit of sulkiness or obstinacy seized him, and when the Resident least expected it, he found a cherished scheme thwarted.

Some of Duncan's important measures were adopted without his consultation. He was very superstitious. On one occasion when Duncan proposed that European surgeon of the Residency should attend him, he declined the offer and stated that his illness had been caused by leaving his house in Ramnagar at an inauspicious moment, and that he was about to return there and leave for Banaras at a more suspicious time. He seems to have been well intentioned, not vicious, nor inclined to cruelty and oppression. He never relied on his own judgment but trusted implicitly to that of his favourite servant. Of these Babu Dalip Singh was most trusted and at the same time most mischievous. His influence was so great that it was a common saying:<sup>2</sup> "Without Daleep never spoke Maheep". He died in September, 1795.

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1. Oldham, op.cit., II, p. 91.

2. Ibid.

RAJA UDIT NARAYAN SINGH (1795-1835)

In 1795 Raja Udit Narayan Singh succeeded his father Mahip Narayan Singh, at the age of 13 years. On September 23, 1796, the Governor General wrote to John Lumsden, the Agent to the Governor General at Banaras, which runs as follows:

"You will deliver to Odeet Narain the eldest son of the late Rajah Mahip Narain, and whose exclusive title to the succession of the Zemindary is undoubted, a Khelaut and letter of condolence on the part of Government on the death of his father, and acquaint him that they have resolved to confer upon him the succession to the late Rajah, and that the Khelaut and Sumud of investiture will be hereafter forwarded to him".<sup>1</sup> A sanad dated the 30th of September, 1796, was granted to him by the British Government. It provided that the zamindaris of the four sarkaras had "with the same privileges and rights as enjoyed by his father, Mahip Narain Singh deceased been confirmed unto him by the Company's Government"<sup>2</sup> and it further called upon the inhabitants to consider the Raja as zamindar of the sarkaras, and to obey his orders. It also 'bound' the Raja "to comply with the stipulations specified in the Agreement of 1794".<sup>3</sup> In other words, the rights and privileges embodied in the sanad of 1781, granted to his father were

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1. A.G.G., Letters Received, Sept. 23, 1796, vol. 41, pp. 3-4.

2. Aitchison, *op.cit.*, p. 74.

3. *Ibid.*

conferred upon him, he having inherited them in his own rights, and the provisions of the agreement of 1794 were made applicable to him.

He was married to the daughter of Raja Patek Shah who used to live at her maternal grand-father, Babu Pahal-<sup>1</sup>wan Singh, in the village Majhwa.

It appears from a letter, dated the 2nd of October, 1795, addressed to Raja Udit Narayan Singh that Government had proposed to appoint Lala Sukh Lal as a Manager to look<sup>2</sup> after the affairs of his zamindari during his minority. Lala Sukh Lal was an old servant of Late Raja Mahip Narayan Singh. He had always shown great zeal and loyalty for the interest of the family and conducted all the business entrusted to him conducive to the advantage of the zamindari. He was perfectly acquainted with the affairs of the deceased Raja and that for these reasons, the Government had proposed to the appointment of Lala Sukh Lal during his<sup>3</sup> minority. The obstacles which had occurred to impede the gratification of the wishes of the Government on this point was entirely to be ascribed to the influence and authority which Dalip Singh, a domestic servant, had established over the late Raja Mahip Narayan Singh and unwillingness of the new Raja Udit Narayan Singh to appoint the nominee of the

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1. Ishwari, pp.49-50.

2. A.C.G., Letters Issued, Oct.8, 1795, vol.I, p.1.

3. Ibid., Letters Received, 1795, vol.41, pp.90-10.

Government, and the assistance given to the Government by Ausan Singh. It was not until the 9th of May, 1796, that Lumsden was able to report that the Raja had agreed to Sukh Lal being appointed as Manager during his minority.<sup>1</sup>

Earlier Lumsden, the Agent to the Governor General, informed the Governor General on October 10, 1795, that "Both the Rajah and the Ranee are willing to allow to Lal Sook Laul the same degree of Superintendence of the Raja's concerns which he possessed in the late Rajah's life time, but in this situation he will entirely be subject to the Control of Dulleep Singh".<sup>2</sup>

Measures were adopted by the Governor General to remove Dalip Singh from Banaras in order to give effect to the arrangement which were indispensable in the interest of the Raja and his country.<sup>3</sup> On February 5, 1796, Lumsden was directed to order Dalip Singh to proceed to the Presidency immediately and in the event of his refusal or delaying to obey the order, he should be sent to Calcutta under a proper guard. It was considered that after the removal of Dalip Singh from Banaras there would be no difficulty in convincing the Raja and Rani of the propriety of late Sukh Lal's appointment, which the Government had been induced to urge solely with a view to the interest of the family and on a conviction that the influence of a person of Dalip Singh's character could not be any thing but harmful.<sup>4</sup>

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1. Ibid., May 9, 1796, p.97.

2. Ibid., Oct. 10, 1795, pp. 8-9.

3. Ibid., May 6, 1796, pp.99-102.

4. Ibid., p.54.

In the year 1798, the English deposed Wazir Ali from the throne of Awadh on account of his vices and cruelty, but gave him a splendid pension of Rs.12,500 p.m. and permitted him to take up his residence in a rented building on Rs.250/- per mensem in 'Madho Das Garden', in the heart of the city of Banaras, where he lived in almost royal splendour.<sup>1</sup>

He carried on his intrigues with great secrecy and obtained promises from some of the most powerful native princes that they would render him assistance as soon as he had commenced a revolt against the English. Relying on their promises, he increased his troops and retainers and waited<sup>2</sup> for an opportunity to unfurl the standard of rebellion. But notwithstanding the secrecy with which he had carried on his plans, Davis, the Judge and Magistrate of Banaras, discovered that he was engaged in plots against the English and wrote to the Governor General, suggesting that he should be immediately removed from Banaras, where he was surrounded by the chiefs and nobles of doubtful loyalty and also he was so near to his territory from which he had been deposed. He should be ordered to reside at Fortwilliam where his all attempts to temper with the fidelity of the native princes or to spread discontent among the people, would easily be frustrated.<sup>3</sup>

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1. Ibid., Letters Issue, March 22, 1798, vol.2, p.234; March 22, 1798, vol.3, pp.39-40.

2. Wazir Ali Khan, p.26.

3. Ibid., pp.27-28.



In consequence of this communication, Cherry, the Agent to the Governor General, was directed to inform Wazir Ali to leave Banaras and proceed to Calcutta. No sooner he received the order, and seeing that there was no time to be lost, he determined at once to put his plans into execution and commenced his long meditated rebellion.<sup>1</sup> At that time there were many English men in Banaras either as officials of the East India Company or engaged in different branches of trade and commerce. The chief of these were George Frederick Cherry, Agent to the Governor General, and Samuel Davis,<sup>2</sup> the Judge and Magistrate of the city.

When Wazir Ali had found all remonstrances in vain, he avowedly acquiesced in his proposed removal to Calcutta and informed that he would proceed to Calcutta on 15th or 16th of January. On the night of the thirteenth, a harkara came to Cherry's house and announced that the Nawab would visit him on the following day in the morning at break-fast. Early <sup>in</sup> ~~on~~ the morning of the fourteenth, another emissary<sup>3</sup> came and after making some enquiries immediately returned. Some time afterward, Wazir Ali's drum was heard and he was seen to approach with a train of horse and foot, consisting in all about 200 men. One of the janadars of Cherry reported to him that Wazir Ali's party instead of coming in their usual manner, were all armed and were with lighted torches. Cherry, in reply, told the janadar, "It mattered not, and

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1. Ibid., p.28.

2. Ibid.

3. Ibid., p.29.

that he was a fool for his fears".<sup>1</sup>

On Wazir's arrival, the host accompanied by his friends, Waris Ali, Izzat Ali and his father-in-law, went in. Evans, secretary of Cherry, was also present there. The party were attended in the break-fast room by four followers armed with swords, shields and pistols. When guests had taken their seats, Cherry called for tea and handed it to Wazir Ali, who did not touch it, and addressing to his host, said that he had some thing of great consequence to communicate. He began to complain against him and about the treatment he had received from Sir John Shore. The subject of Wazir Ali's departure for the Presidency was also mooted, but Wazir Ali spurned the idea and directed his attendants to seize and put Cherry to death.<sup>2</sup>

Waris Ali came immediately round from his seat and placed himself near Cherry. This seemed to be a concerted signal. Wazir Ali got up from his chair, seized Cherry by collar, while the other man held him behind and as he exclaimed against this violence, the Nawab struck him with his sword. Now the conspirators followed the example. As the <sup>the Governor General</sup> unfortunate Agent to/endeavoured to escape through the verandah into the garden, they followed and killed him.

In the meantime Izzat Ali had seized Evans and tried to stab him but he escaped to the adjoining field. There,

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1. Ibid., p.30.

2. A.G.O., Letters Issued, January 15, 1799, vol.3, pp. 220-221.

however, he was seen by some horsemen, who fired two or three shots and brought him down. Captain Conway, an officer, who was living with Cherry, happened at this moment to ride up to the house attended by an orderly, was also killed by the armed body.<sup>1</sup>

On his way to Cherry's house, Wazir Ali met Mr. and Mrs. Davis who were returning from their morning ride on an elephant. When Wazir Ali saw them, he consulted his friends whether he should atonce attack and kill them on the spot or should leave them for the present. It was decided that it would be better to proceed first to the house of the Agent to the Governor General which was far from the city and take them on his way back.<sup>2</sup>

Davis atonce perceived that Wazir Ali was engaged in some treacherous and hostile designs. He immediately despatched a messenger to Cherry to warn him of some impending danger. But it was too late.

Wazir Ali returned with much more haste than usual towards the house of Davis. Some of the horses of his troops, instead of keeping the road, crossed his ground and began firing at his sentry. There was no time to lose. Mrs. Davis repaired with her two children and attendants to the terrace on the top of the house.<sup>3</sup> Finding that the lowness of the

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1. Visier, pp.30-32.

2. Ibid., pp.32-33.

3. A.G.C., Letters Issued, January 15, 1799, vol.3, p. 221.

parapet wall exposed them all to view, and that they were fired at by the insurgents from below, Mrs. Davis, with her children and two female attendants, sat down in the centre of the terrace, while Davis took his position on one knee at the trap door of the stairs, waiting for the expected attack.

Wazir Ali, after searching the lower part of the house without finding the inmates, ordered some of his men to mount the spiral stair case. On the roof, at the top of the stairs, stood Davis, the trap-door partially lifted up, with the spear in his hands; and the instant the first man turned the angle, with a vigorous thrust to which the fearful peril of his position added energy, he threw him wounded down the stairs. Other also followed <sup>but</sup> by with the same result. The enemy fixed their pistols up the stairs in the hope of hitting the brave defender but the thick matting of the trap door proved to be bullet <sup>1</sup>proof.

By this time the news of the revolt had reached the cantonment and the assistance arrived before it was too late. General Erskine, who by this time had joined with the remainder of the cavalry, proceeded towards 'Madho Das Garden' where Wazir Ali was staying. When the troops got possession of 'Madho Das Garden', it was found that Wazir Ali had fled and had taken the Azamgarh Road with a view to proceed to

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1. Ibid., January 15, 1799, pp.220-221; Vizier, pp.35-40.

<sup>1</sup>  
Butwal. On February 4, 1799, J. Neave, the Agent to the Governor General at Banaras, informed Major Erskine, Commanding the troops in the vicinity of Banaras, that Wasir Ali, Waris Ali and Izzat Ali had left Butwal for the hills with a view to join Zaman Shah.<sup>2</sup> On March 11, 1799, he again reported to the Government that the news had been received that "a man called Rama Singh an inhabitant of Nowrahy seven ~~goss~~ to the Westward of Fyzabad has brought a letter from Vizier Ally to his family here, the contents of which are nearly to the following purport viz., the army of the English Gentlemen has shut up the roads from Mahmudy to the Morung Hills. I perceive no safety where I am and wished to proceed over the hills to Kushmeer but the brother of the Rajah of Butwal will not let me depart and puts me off with evasive <sup>3</sup> excuses".

The unfortunate victims to Wasir Ali's barbarous treachery, among the English, were Cherry, Agent to the Governor General at Banaras, Captain Conway of the Company's infantry, Robert Graham, assistant to the Court of Appeal and Richard Evans, a <sup>Secretary</sup> ~~writer~~ <sup>4</sup> to Cherry.

The Magistrates were directed to make public the proclamation issued by the Nawab of Awadh offering a reward of

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1. Ibid., January 18, 1799, p. 224.

2. Ibid., February 4, 1799, p. 236.

3. Ibid., January 15, 1799, p. 223.

4. Ibid., p. 220.



rupees fifty thousand for the arrest of Wazir Ali in addition to the grant of a jagir.<sup>1</sup> A reward of Rs.10,000/- was also proclaimed for the arrest of Waris Ali and Izzat Ali, either dead or alive, in addition to a grant of jagir, who were equally responsible for the massacre committed on the 14th of January. The Vice President in Council had also offered a reward of rupees twenty thousand for the capture of Wazir Ali, alive or dead.<sup>2</sup>

It appears that Wazir Ali collected some army in Butwal but being attacked by the English and defeated, he fled to Rajputana and took a refuge with the Raja of Jaipur. But the Raja handed him over to the English on condition that his life should be saved and that he should not be tied with fetters. He was brought to Calcutta and was placed in what could be described as an iron cage and from thence he was removed to the fort of Vellore where he died.<sup>3</sup>

After the flight of Wazir Ali, some documents were discovered which revealed the list of forces engaged by Wazir Ali. It appears that there were about two to three thousand men in the army of the Nawab on the day of massacre.<sup>4</sup>

Wazir Ali also sent a sealed letter to the Raja Udit Narayan Singh through a messenger. The messenger, having

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1. Ibid., January 20, 1799, p.266.

2. Ibid., pp.230-231.

3. Ibid., January 19, 1799, pp.225; Vizier, p.76.

4. Vizier, pp.61-62.

cleverly escaped a very dangerous predicament, went to the camp and delivered the letter to the Collector, who directed both the letter and the messenger to the judge and the Magistrate. In his letter Wazir Ali had solicited the assistance of the Raja and advised him to remain vigilant on all the roads around Banaras and not to permit any individual of the British or European national to pass through the boundaries of Banaras.<sup>1</sup>

It appears from the correspondence and enquiry made from the servants of the Raja that Raja Udit Narayan Singh was not in league with Wazir Ali. He was away on a hunting expedition to the west of Banaras on the day of massacre.<sup>2</sup>

Many native princes and nobles were found to be implicated in the conspiracy. On the 20th of January, 1799, J. Neave, the Agent to the Governor General, submitted to the Secretary to the Government eleven applications from the zamindars addressed to Wazir Ali, under their seal and signatures. He had further informed that of the rebel zamindars, Jagat Singh was in the habit of sending his son and a confidential servant on the plea of paying a visit to the farm where the servant took the opportunity of carrying on

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1. Ibid., pp. 61-62.

2. Ibid., pp. 47-48. Jagat Singh was an associate of Wazir Ali. He possessed an excellent Persian Library, and was proud of his poetical compositions in that language, which Muslims could only appreciate. He was given the title of Life of Nightingale of India (Vizier Ali Khan, p. 50).

intrigues.<sup>1</sup> He solicited instructions from the Government to deal with such persons and ensure the district from a repetition of the late insurrection.<sup>2</sup> In the meanwhile, necessary instructions were issued from Calcutta for adopting measures for apprehending Muslim nobles, known to be involved in the massacre with Wazir Ali. For executing the plan two modes were adopted. The one was by attachment of property in the usual manner and the other was by a surprise military attack.

In the ordinary course of attachment, it was not to be concealed from them that they were suspected persons, against whom information had been collected and instructions for their arrest had been issued. It was also not probable that they would have recourse to evasion or resistance and in either case, they might, with the assistance of their adherents, easily effect an escape. Then it would be difficult to seize their papers. Babu Jagat Singh occupied a house from where he could defence the outskirts of the town; while three others, whose names are not known, usually resided together in the fort of Pindra, about 14 miles from Banaras on the Jaunpur Road. Bhawani Shankar and Sheo Dee<sup>3</sup>

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1. A.G.C., Letters Issued, Feb. 20, 1799, vol.4, pp.4-5.

2. Ibid.

3. Bhawani Shankar was brother of Prataprudra, zamindar of Chitaipur. He was an associate of Wazir Ali. A sum of Rs.1675.00 was given to him by Wazir Ali to meet the expenses of rebellions.

resided, in like manner, at Chitaur, a small fort on Chunar side. Sheo Nath occupied a small house in the town in<sup>1</sup> Brahmanal. He was well known in Banaras by the name of Banka.<sup>2</sup>

Under the circumstances, it was decided to plan the arrest of all these persons by surprise, at the same time, lest the proceedings against one might alarm and enable another to escape. It was also decided to secure the possession of the two forts above mentioned especially that of Pindra, which was surrounded by the family lands and old retainers of the proprietors and in case of insurrection it afforded a point of junction to their adherents.<sup>3</sup>

On the 18th of March, Elphinstone was furnished by Colonel Bayne, in command of the first regiment, at Pindra, with four companies of infantry and twenty four troops, to assist him in the arrest of the Babus. About day break the troops marched to the fort, and surrounded it in such a manner as to prevent any person escaping. A seizure was made of fifty matchlocks, forty swords, some powder and balls. A large quantity of paper was discovered sealed up in the chest containing money. People in the fort of Pindra informed

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1. Vizier, p.70.

2. The term banka, by which the sect is distinguished, is derived from the peculiar movement of their swords, in the exercise of which they were proficient. This class of people formerly abounded the Banaras and were the terror for the wealthy and timid people on whose contribution they were supposed to subsist (Vizier, p.75).

3. A.G.C., Letters Issued, Feb.18, 1799, p.120.

that babus had already left the fort on the plea of hunting two days before.

On the same morning, Sealey, supported by two companies of infantry, proceeded at day break to the residence of Jagat Singh. On the first intelligence of the arrival of the troops, he retired to his Zanana (female apartment), from where he refused to come out but surrendered himself on condition that no personal injury would be done to him and he would not be subjected to any disgrace.

The fate of another babu Sheonath was tragic. He shut himself with his five adherents in a house in Brahmanal. A party of infantry surrounded the place and stopped their supply of food and water. A day and night were spent in this manner, during which time all possible means were adopted to persuade them to surrender and promises were made that no personal disgrace would be inflicted but all in vain. They at length came out and attacked the assailants with fury. Sheo Nath and his companion, Bishwanath, were killed,<sup>1</sup> but not before they had killed several of the English force.

People of Banaras were so much influenced by their bravery that they raised one memorial in the vegetable market of Brahmanal, near Nilkanth palace. A folk song is still<sup>2</sup> sung to honour their heroic deeds, which runs as follows:

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1. Ibid., pp. 71-74.

2. Hans, Kashi Ank (Oct.-Nov., 1933), p. 53.



दो कम्पनी पांच सौ चढ़कर चपरासी लाया ।

गली-गली और कूने कूने जाकर बंकाया ॥

भिजा पांचू कसम साय के कुरान उठाया ।

फाँवर की किया बीच और उनकी समझाया ॥

चली बढावा मिली हाँड़ दो सूने का फगड़ा ।

सम्पुत होकर लड़े निकलकर मुल नही माँड़ा ॥

शिवनाथ बहादुर सिंह का मिला खूब जोड़ा ।

सुरवीर जी, जो सम्पुत आये -----

तन में लागी गोलियाँ तीस जब घायल होय पड़े

हंस बोला तब सुबेदार काट डे गद्देन दोनो के ।

उठ बैठे शिवनाथ बहादुर मारा सिपाही के ॥

Bhawani Shankar was sentenced to death and Jagat Singh was sentenced to transportation of life. But he committed suicide by taking poison while being escorted to jail.<sup>1</sup> Such was the fate of the adherents of Wazir Ali whom he had left behind after flight.

In 1805 after Raja Udit Narayan Singh had attained maturity, he presented a memorial asking for the annulment of the agreement of the 27th of October, 1794, and for the restoration to him of full powers of the Government in the four sarkars and in his family jagir. The Raja contended that the above agreement was a temporary arrangement and was not meant for posterity.

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1. Vizier, p.77.

But this appeal was in vain. Government refused to reconsider the position on the plea that it was done according to provisional arrangement of the Supreme authority in England.<sup>1</sup> On October 19, 1805, the Agent to the Governor General further informed the Raja, "you will experience every degree of friendship and attention to your interest which you had reason to expect from the known justice, liberality and benevolence of the late Governor General".<sup>2</sup>

The Raja, however, continued to press his demand with increasing vehemence and vigour. On November 3, 1815, the Raja pointed out the defects in the administration of Banaras province, especially in respect of Judiciary and Police in the parganas of Bhadohi. He also clarified from the Agent to the Governor General the powers which he had been vested in respect of revenue in pargana Bhadohi<sup>3</sup> and in other jagir mahals belonging to him and the extent of jurisdiction exercised by him. A question arose, "Whether the Raja would voluntarily consent to an arrangement for those mahals to the same judicial authorities, in all cases, as the rest of Benares or to the adoption of any other measure for effectual remedy of the evils arising from the present exercise of the Raja's authority in matters relating to revenue".<sup>4</sup> It was

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1. A.G.C., Letter Received, Oct. 19, 1805, p.45.

2. Ibid., Nov. 3, 1815, vol. No.56, pp.429-430.

3. Ibid., Letter Issued, July 25, 1819, vol. No.14, p.154.

4. Ibid., p.155.

referred to the Government on the 28th of August, 1819,<sup>1</sup> and brought to the notice of the Governor General on the 8th of July, 1820.<sup>2</sup>

In consequence of the complaints regarding administration, W.W. Bird was appointed in 1826 as a Special Commissioner to enquire into those complaints. His reports led to the passing of Regulation VII of 1828.<sup>3</sup> According to this regulation the Commissioner of the Banaras Division became the Superintendent of the Family Domains and one of the civil officials stationed at Mirzapur became the Deputy Superintendent of Family Domains. An European officer was appointed to cooperate with the Raja in settling the disputes. The control vested in the Governor General as provided by the Regulation was henceforth to be exercised by the Sadar Board of Revenue. An independent tribunal was established, to which aggrieved persons were to apply for redress against the acts of the Raja's officers. There was also a provision for subjecting every act of the Raja and the native judges to the superintendence and control of the Commissioner of Revenue and circuit. The above regulation treated the provisional agreement of Raja Mahip Narayan Singh as final and enacted that even in his Family Domain<sup>4</sup> the Raja became almost a cipher.

The regulation VII of 1828 had not been attended with all beneficial effects that were contemplated in its enactment

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1. Ibid., Aug. 28, 1819, vol.190(XIV), p.16.

2. Ibid., Sept. 15, 1820, vol.190(XV), p.183.

3. D. Sutherland, The Code of Bengal Regulations, I, pp. 1126-1132.

4. Appendix 38A.

regarding grant of certain rights and privileges to the Raja in connection with the occupation, possession and transfer of lands. In 1830 Raja Udit Narayan Singh again appealed to Lord William Bentinck but except the expression<sup>1</sup> of sympathy, nothing was done to redress his grievances. But the Raja's undaunted by these failures and hopeful that justice must prevail, continued to press his claims but without any results. He died in 1838, a broken hearted and bitterly disappointed man, with his dearest hope shattered and lowered in the estimation of his own subjects.

It appears that the British Government, which had always professed the most scrupulous regard for its solemn pledges, refused to recognise the claim of Raja Udit Narayan Singh for sordid motives of greed or expediency when other reasons suggest themselves as an explanation.

The temporary arrangement of 1794 had taken the garb of permanency. The actual power and authority of the British Government in four sarkars progressively increased, interests had become vested and it became extremely difficult to cry a halt. It appears that for these and analogous reasons that the British Government refused to recognise the just rights of Raja Udit Narayan Singh.

#### JAHANDAR SHAH AND HIS SUCCESSORS IN BANARAS

Jahandar Shah and members of his family also lived in Banaras when these events were taking place. It may not be

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1. A.C.C., Letters Received, April 22, 1831, vol.No.190 (XV). pp.131-139.

out of place to know some light on the activities of this scion of Mughal family.

In December, 1787, Shah Alam relieved Jahandar Shah from important duties after discovering that he was plotting to seize the throne and appointed him as the subahdar of unconquered Agra province. Jahandar Shah left Agra in disgust and proceeded towards the British territory. Lord Cornwallis promised to give him an asylum in Rajmahal in Bihar. As soon as the Prince's programme to Raj Mahal was settled, orders were issued to the Collector<sup>1</sup> of the Districts through which he was to pass to pay the required courtesy. When the prince was about to start for Sahasran, W.A. Brooke, the Collector of Shahabad, informed the Resident at Banaras, that the building at Sahasran, intended for the prince, was unsuitable as a residence during the rains.<sup>2</sup> On May 12, 1788, the Governor General thereupon directed Jonathan Duncan, the Resident at Banaras, to accommodate him at Banaras or Rannagar<sup>3</sup>. Duncan informed the Prince accordingly.

Jahandar Shah took up his residence at Shewala Ghat. On the 31st of May, 1788, he proceeded to Chunargarh early in the morning to pay a visit to the tomb of one of his wives and returned the same evening. He passed a restless night owing to pain in his chest. In the morning he came out of

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1. B.R.C., April 30, 1788, p.392.

2. Ibid., May 12, 1788, pp.192-193.

3. Ibid., pp.194-195.



his chamber but shortly afterwards he returned to rest. He fainted, fell on the ground and perspired profusely. Then he sent for the family physician, Abdulla, and took medicines. Suddenly afterwards his eyes rolled and he fainted again. Hearing this Jonathan Duncan and Ali Ibrahim Khan paid a visit and in the meantime Dr. Le Blain also arrived and declared the Prince dead beyond almost any hope of revival. But Dr. Blain thought that the experiment could be made by opening one vein in the arm to see if blood would come out and enable the patient to survive. He tried and opened a vein in the left arm; but his all endeavours proved in vain.<sup>1</sup> Earlier in the morning he had despatched his last will to Ali Ibrahim Khan as well as to Duncan in which he had requested that in case of his death, if the Emperor should send for the members of his family, they must not be sent to Delhi and the allowance that was paid to him should be continued to his wife.<sup>2</sup> But according to Abu Talib he died of Cholera.<sup>3</sup>

#### Successors of Prince Jahandar Shah.

Prince Jahandar Shah's ingratitude to his royal father was neither uncommon in Mughal history nor unrewarded by his own children. Ingratitude seemed to have been the watchword

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1. B.R.C., June 1, 1768, pp.6-7.

2. Ibid., pp.7-10.

3. Talib, op.cit., p.80.

with the members of royal family, particularly of Delhi.  
Prince Jahandar Shah's children were destined to do the same.<sup>1</sup>

His survivors were his principal wife Qutlūq Sultan Begam and a younger one named Jahanabadi Begam. The former had a little son, Khurram Bakht. There were by different mother's two other sons, Shukhufta Bakht (Mirza Hajj) and Muzaffar Bakht, of whom the former was adopted by Jahanabadi Begam and the latter by Qutlūq Sultan Begam.

The division of Jahandar's property and the amount of pension soon became the main cause of trouble in the family.

After hearing the sad demise of the Prince, the Emperor directed the Governor General to send the wife and children of the late Prince to Delhi. But Qutlūq Sultan Begam regretted her inability to proceed to Delhi on account of the disturbed state of affairs at the royal palace as well as to the sinister designs of her enemies there against her and her children.<sup>2</sup> The Nawab Wasir promised to meet all her necessary expenses so long as she desired to reside at Banaras, and advised her to curtail her expenditure.<sup>3</sup> In consequence, on August 7, 1788, Duncan wrote to Ives, Resident at Lucknow, that the pension of the late Prince had been reduced from Rs. 25,000 to Rs. 17,000 per month for the

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1. C.P.C., VIII, p.1 (Introduction).

2. Ibid., No. 632, 635. (*Shukhufta Bakht was called Shugufta Bakht*)

3. B.R.C., August 7, 1788, pp. 200-201.

support of his widow and children.<sup>1</sup> Shukhufta Bakht desired to have marked the allowances fixed for him and demanded his share in the property.<sup>2</sup>

On the 16th of August, the Resident had informed him that his allowance had been fixed at Rs.5000/- per mensem and it would be better if he should receive it through Qutlaq Sultan Begam otherwise it would be paid from the Company's treasury direct.<sup>3</sup> Shukhufta Bakht was not satisfied with the proposed allowance and the idea of delaying the division of the property. So on August 16, 1788, after an interview with Duncan, he suddenly left for Lucknow on the plea that the proposed settlement between him, Qutlaq Sultan Begam and Mukkarram-ud-Daulah (Akbari Ali Khan) were not acceptable to him.<sup>4</sup> Upon his departure on the 18th of August, Duncan directed the Magistrate of Banaras to prepare a legal inventory of all the effects left by the late Prince so that satisfactory account of the property might be given to the Emperor and Shukhufta Bakht on demand.<sup>5</sup> Mirza Shukhufta Bakht reported to the Nawab Wazir that Mukkarram-ud-Daulah who during the life time of the late Prince, had no voice in any of the affairs, made such protestations of his attachment to the family that he got complete control over all affairs. When

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1. Ibid., Aug. 7, 1788, pp.199-200.

2. Ibid., p.202.

3. Ibid., Aug.16, 1788, p.394.

4. Ibid., Aug.17, 1788, pp.396-397.

5. Ibid., Aug.18, 1788, pp.402-403.

he found that Shukhufta Bakht stood in the way of his disposing of his goods and effects he became his enemy and turned the Begam against him. He was mortified to see all this and resolved to go to Calcutta to obtain redress. When he opened his mind to Duncan, he advised him not to take this step, as he would procure the adjustment of his affairs from Calcutta in the course of a fort-night. But Mukkarran-ud-Daulah, on behalf of the Begam, made such counter-representation that nothing could be settled within the stipulated time. Thus he being dejected proceeded to Lucknow instead of Calcutta. Duncan on hearing of his departure, sent Mr. Grant after him to request him to return and accept an allowance of Rs. 6000<sup>1</sup> per month and receive Rs. 12,000 on account of his arrears.

The Nawab Wazir disapproved of the steps taken by Shukhufta Bakht as his departure from Banaras was against the wishes of Duncan and advised him to return to Banaras.<sup>2</sup>

It appears from a letter of Duncan addressed to the Governor General on the 9th of October, 1788, that Cutlaq Sultan Begam had terminated the services of Mukkarran-ud-Daulah, as he had so mismanaged the affairs that every thing fell in disorder. Having no alternative left, she had herself<sup>3</sup> taken charge of the house hold affairs.

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1. Ibid., Aug. 18, 1788, pp. 404-410; C.P.C., VIII, No. 878.
  2. Ibid., p. 411; CP.C. VIII, No. 916, 991.
  3. Ibid., Oct. 9, 1788, vol. XI, pp. 78-80.

Mirza Muzaffar Bakht, second son of Jahandar Shah, had applied for a separate establishment on the plea that Qutlaq Sultan Begam did not treat him well in parity with her own son, Khurram Bakht and Nawab Mukarram-ud-Daulah<sup>1</sup> caused dissension between him and Qutlaq Sultan Begam. Duncan recommended to Qutlaq Sultan Begam that Muzaffar Bakht should not be prevailed upon to return to his old quarters but he should return to Shewala and reside in a portion occupied by Mukarram-ud-Daulah or in a separate<sup>2</sup> house in the city.

An allowance of Rs.2000/- was also fixed to Jahanabadi Begam from the allowances of Qutlaq Sultan Begam. She refused to accept it but the Resident assured her that it would be increased later on and she acquiesced. But the promise was not fulfilled. She represented for its increase several<sup>3</sup> times but in vain. On the 30th of August, 1789, Duncan informed her that it would be better for her to go to Lucknow and live there with Mirza Shukhufta Bakht, otherwise she must remain subordinate to Qutlaq Sultan Begam, because it was contrary to the orders from Calcutta that there should be two heads in the family of the late Prince<sup>4</sup> (Jahandar Shah) residing at Banaras.

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1. Ibid., p.79.

2. Ibid., p.81.

3. C.P.C., VIII, No.1403.

4. Ibid., No.1404.



Qutlaq Sultan Begam, on the other hand, sought to replenish her limited financial resources by demanding from Maharaja Sindhia the restoration of her husband's jagir,<sup>1</sup> but the Governor General was unable to offer his good offices, as the Company had "Uniformly pursued the policy of non-interference in the affairs of Sindhia or other Princes of Hindustan".<sup>2</sup> Her device of securing an allowance from the depleted stipends of Nawab Mubarak-ud-Daulah of Murshidabad for her son by arranging a matrimonial alliance between him and one of the Nawab's daughters proved futile.<sup>3</sup> She was advised to give up the intention of a union between her family and that of the Nawab through marriage, for according to the custom of his house no marriage could be effected with any one except a Saiyid.<sup>4</sup>

Bereft of her husband, Qutlaq Sultan Begam now became a forlorn royal female. Her eldest son, Mirza Shukhufat Bakht, deserted her and left for Lucknow. He was followed by Prince Muzaffar Bakht. Their examples were also followed by the royal servants until Qutlaq Sultan Begam found herself alone. With the desertion of her two sons, her original allowance of Rs.17,000 per month was reduced to Rs.12,000 per month, an income which compelled her to spend last days of

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1. Ibid., IX, No.464.

2. Ibid., No.615, 643.

3. Ibid., No.134.

4. Ibid., Nos. 335-336.

her life entirely at the mercy of the English. She died  
on October 20, 1818.<sup>1</sup> A pension of Rs.11,000 per month was  
sanctioned to her dependents and Dewan Rai Girdhar Lal was  
allowed to continue to manage the affairs of the family in  
the same manner as during the life time of late Qutlaq  
Sultan Begam.<sup>2</sup>

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1. A.G.G., Letters Received, October 21, 1818, p.87.

2. Ibid., pp.87-88.

## CHAPTER - IV

### R\_E\_V\_E\_N\_U\_E     A\_D\_M\_I\_N\_I\_S\_T\_R\_A\_T\_I\_O\_N

The land mark in the revenue system of the Province was Todar Mal's raiya settlement, which furnished a basis for all subsequent settlements. The principles, on which the system was based, were broadly the correct measurement of the land and the cultivated area, the calculation of the average yield and the assessment of the revenue in terms of the average price of the produce. The revenue could be paid either in cash or in kind at the option of the payer and it was ordinarily  $\frac{1}{3}$  of the produce.

One of the main principles of Todar Mal's settlement was to collect tax directly from the villagers without any go-between in the form of revenue farmer, and even without a too implicit reliance on the village headmen. To carry out the details of this scheme numerous subordinate collectors were employed. These were mostly Hindus and their patience and skill in accounts qualified them for preparing the various forms required. In the later years of his reign, Aurangzeb was unable to control the vast apparatus of the empire. His officials were constantly intriguing and his own attitude had been vitiated by his narrow mindedness in matters of religion. The new officials of his own creed lacked the patience, diligence and experience of their

predecessor's in office. In consequence, the order and economy of the revenue collection ceased. A new state of things grew up.<sup>1</sup> It became necessary to issue sanads or royal patents for the collection<sup>2</sup> of revenue to the contractors or farmers of revenue, who were termed 'zamindars'.

As the Mughal dynasty drew near to its close, higher and higher swelled the titles and wider and wider rolled the farmana of the Emperors. "But the pompous forms, the fulsome language of the Imperial Edicts, betrayed the weakness of the body politic, worn out with luxury and enervated by sloth".<sup>3</sup>

A complete disorganization of the revenue system was in progress. The provincial Governors, bent on their own selfish and ambitious project, found it expedient to grasp at the state revenues. The regular system was trampled under foot. They entered into engagements with men, whose talents, wealth or local influence, best enabled them to extort money from agricultural population. Thus grew up a class of rapacious powerful contractors of the revenues, namely the zamindars of Bengal and talucdars of the Upper provinces. It thus happened that the persons who acquired zamindari right were often already endowed with rights allodial and hereditary.

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1. C. Raihes, Note on the North-Western Provinces of India, p.53.

2. Ibid.

After the grant of Dewani to the English in 1765, the greater part of the country was found parcelled out into the large estates under powerful zamindars. These zamindars were in reality contractors of revenues and asserted their rights without being actual proprietors.<sup>1</sup>

The word zamindari had been used for a variety of categories. On the one hand it was used for the Raja of Banaras, who was considered more than a zamindar and on the other hand for the village proprietors who were nothing more than the tenants. It would not be out of place to mention here that there were various forms of zamindari system in vogue when Mansa Ram became the virtual ruler of three sarkars of Banaras, Jaunpur and Chunar on May 31, 1738. The machinery of revenue collections consisted of several layers of intermediaries bearing different names, ranks and designations. They were the raja, amil, amina, ganungas, talukdars, zamindars and ryot. The general mode of revenue collection was of revenue farming.

The Rajas were the chiefs of former kingdoms and principalities who had been subdued by the Mughal Emperors and had been left in possession of their previous jurisdiction subject to the payment of tribute to the Mughal Emperor. They were to settle the right to collect the revenues of a pargana or a group of parganas annually with the highest

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1. Ibid., p.54.



territory was divided into two distinct<sup>c</sup> parts, viz., khalisa and jagir. In khalisa, the assessment and collection of revenue was made directly by the Government officers while lands in jagir were assigned to persons designated as jagirdars. These jagirdars were usually mansabdars, holding definite ranks bestowed on them by the Emperor. They received their emoluments either in cash from the Government treasury or in kind in the shape of the jagira. The assignee was entitled to collect the entire revenue due to the state, and though what was collected was principally land revenue, it also included various cesses and petty taxes. The jagira were transferred after certain intervals so that a particular assignment was seldom held by same person for more than <sup>1</sup> three or four years.

Since a jagir was usually assigned in lieu of pay, it was necessary to determine in each case an area that would yield an amount of revenue equivalent to the sanctioned pay. A standing assessment or jama was, therefore, prepared for each unit of territory, the village, and more especially the pargana or mahal. The jama was used for purposes of assignment. In normal circumstances, the imperial administration left the jagirdars to bear the risk of fluctuations in revenue collections and neither reimbursed them for any loss nor recovered any excess receipts.

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1. Ibid., pp.263-269.

As against  jagirs,  khalisa consisted of lands held by the imperial administration. There were constant transfers from, or assignments to the  khalisa of various  mahals. Land once held in  jagir could be transferred to  khalisa on resumption of the assignment, and the land held in  khalisa could be assigned in  jagir, thus going out of the direct "Imperial administration. The extent of  khalisa, therefore, varied<sup>1</sup> from time to time.

A similar but smaller type was  taluqdari. The  taluqdars, who formed a second and superior class of land holders, paid their revenues directly to the Government. They had under them a number of village  zamindars who still retained the right to dispose of their land by sale, subject to the payment of rent to  taluqdars.

The  taluqdars made settlement with the  zamindars for such a fixed annual revenue as the latter agreed to pay but they could not deprive the  zamindars of their share of the crops, nor excluded them from their  zamindari nor appropriate<sup>2</sup> the land to their own use.

There were three types of  zamindars —  pargana zamindars, village  zamindars and  bhaiyohara zamindars. The  pargana zamindars originally belonged to the class of Hindu chiefs who had been subdued by the Mughal Emperors but were left to

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1. W.K. Firminger, The Fifth Report from the Select Committee on the Affairs of the East India Company, vol.II, p.4.
  2. Selections from the Revenue Record of the M.W.P. (1818-182 D.89.

manage their estates. Each chief decided for himself in what way he should collect the state's share from his peasants, and he had his own hierarchy of officials and agents<sup>1</sup> for collection. The only obligation was to pay the land revenue to the Muslim rulers and assist them in times of war. They paid the land revenue direct to the Governor and collected from the cultivators and small land owners a much<sup>2</sup> larger sum.

Balwant Singh ejected these pargana zamindars from their estates and appointed subordinate revenue officers, many of them his kinsmen, to collect from the villages the revenue which had formerly been realized from the pargana zamindars. On breaking out of the rebellion of Chait Singh, several of the dispossessed zamindars joined the camp of the Governor General and rendered services during the rebellion. So Hastings tried to restore some of them. But only one could be restored because the Company did not allow the claim of dispossessed zamindars in Banaras, where the dispossession took place before May 21, 1775, the date from which the Company's sovereignty was established in Banaras.

The other class was that of the village zamindars. In coparcenary village, there used to be only one zamindar in a family, in whose name pattas had all along stood. He was very powerful. He collected the malguzari from his brothers

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1. A. Moreland, op.cit., pp.8-10.

2. Oldham, op.cit., part II, pp.43-46.

also if he happened to have them and ryot and paid to the Government. If his brothers desired to claim possession of land according to their respective shares, he did not admit them, but he allowed them to carry on cultivation by keeping them excluded from any proportion of the general profit.<sup>1</sup>

The co-parcenars had the only concession that they had to pay a sum considerably less than ryot.

The other class was that of bhaiyachara zamindars. In cases where village zamindars happened to be considerable in numbers, they nominated certain persons to act jointly on their behalf as sarbarakar or manager. In such form, the responsibility of the individual zamindar remained undiminished and they dismissed such managers at their own discretion.

In this patriarchal form of land tenure, the village belonged to a family, not to an individual. The <sup>sum</sup> payable to the Government by every individual was recorded. Every Pattidar maintained his possession of the share in the village to which he was entitled by birth. But all the share holders did not enter into separate engagement with the Government for the payment of revenue. It was the head of family or principal representative of the patti or division who did it collectively on behalf of all others. In a family owned village, the lands were cultivated by the tenant, who belonged to all the share holders in common. Any

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1. Selections from Revenue Records of the H.W.P., (1818-1820), p.169.

deficit in the land revenue demand of the estate was the joint responsibility of the co-sharer, which was decided on the basis of the area of land under their ownership. Cultivation in severality with joint responsibility for the payments of the revenue, was in fact one of the main features of the pattidari or bhaiyachara tenure in the Province<sup>1</sup> of Banaras.

It appears from the above description that the village zamindars and bhaiyachara zamindars belonged to the same category. The pattas very often stood in the name of one or two coparceners. Thus the patta holders usurped the rights of the weaker sharers and reduced them to inferior status of an occupancy tenant.

The lowest in the hierarchy of the rural interests were the ryot. Their rights of occupancy perhaps were hereditary so long they continued to pay the rent fixed by distinct engagement. They could not transfer the land either by sale, gift or mortgage. It was also not resumable if once vacated. The land was farmed out to the highest bidder for a period of one year. This system had disastrous effects. The bidders were mercenaries who made high offers and squeezed the ryot mercilessly to meet the Government demand and earn a good profit for themselves. In the absence of any

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1. B.B. Misra, The Central Administration of the East India Company, p.196; W. Crooke, The North-Western Provinces of India, their History, Ethnology and Administration, pp.301-302.



proper comparative rent-rolls of fiscal units, it was not possible to protect the ryot against extortion.<sup>1</sup>

The main policy of Balwant Singh's administration was to destroy the authority of the land holders. The pargana zamindars were deprived by him of their administrative functions, dispossessed of their private estates and were either killed or banished. In their places amils were appointed, many of them were the kinsmen of the Raja, and to them the parganas were given in farm from year to year. The village zamindars were either wholly deprived of their powers of village administration, or their tenure of it was made uncertain, unprofitable, and granted only from year to year and held only as long as they pleased the Raja.<sup>2</sup>

There was no systematic plan adopted for the settlement of the country. He received the malguzari or revenue from the land of the zamindars regularly. But when he found the zamindars to be desolators, he declared the village kuchcha and took the revenue.<sup>3</sup>

The village zamindars were allowed to remain in possession of their <sup>or</sup> giri land on favourable terms even after they were dispossessed of the village administration. The grazing, fisheries and forest produce of the village seem to have been

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1. V.A. Narain, Jonathan Duncan and Varanasi, p.56.

2. Oldham, op.cit., p.94.

3. Ibid.

left in their undisturbed possession and they enjoyed a part of the proceeds of the abkari or tax on spirit, ghur devali or dewari (house tax), karasha (tax on looms) and tahadari or transit duty on grains and all other articles of commerce which passed through their villages.<sup>1</sup>

Balwant Singh allowed them certain remissions and granted them for their support under the names of "chhoot", muafi namuli and nankar, amounting to about a lakh of rupees per annum in the whole province. These grants were intended for the benefits of the zamindars whose turbulence and discontent would have given trouble, or as a reward for those who were serviceable to the Raja.

To promote the cultivation of the country, Balwant Singh directed that the entire rents from the ryot should be realized for each year before the commencement of the rainy season of the next agricultural year to enable the cultivators to devote first three months of the rainy season to cultivation without molestation from the collectors of revenue.<sup>2</sup> The amils' authority for collecting revenue extended over nine months of the year, from October to the end of June, and they were required to complete their own payments within ten months of the year, namely from October to July. This was a very simple rule and better calculated

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1. Ibid.

2. Ibid.

to secure extensive cultivation. But it required constant and strenuous efforts to enforce it.

During the period of Chait Singh this rule was less strictly enforced and balances of revenue were allowed to run from one year to another. The ryot, busy in ploughing and sowing their fields, were harrassed for the payment of previous year's rent.<sup>1</sup>

After the flight of Raja Chait Singh in 1781, it was everywhere in a decayed state and in some parts of the province the decay had been rapid and alarming.<sup>2</sup> Previous to the year 1781 the Resident stationed at Banaras on the part of the British Government was not empowered to interfere in any respect with the settlement or collection of the revenue of the zamindari. On the accession of Raja Mahip Narayan Singh in 1781, the Raja being minor, the administration of the revenue was committed to the charge of naiba acting on his behalf and subject in some degree to the control of the Resident.<sup>3</sup> During the next seven years, the muils or revenue farmers were permitted to enhance rents by imposition of cess which varied from 9½ per cent to 16 per cent. The result of this change in the system of administration soon became apparent. Year after year the extent of the fallow land increased; the wells fell into disrepair and cultivation

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1. Ibid.

2. B.R.C., Tenants Rights and Auction Sale in Ghazipur and the Benares Province, vol.57, p.10.

3. D.Sutherland, The Regulations of the Bengal Code, I, p.209.

become neglected. The revenue was realized with ever increasing difficulty. There were defalcations in the parganas of Zahurabad, Pachotar, Kantit and Sikanderpur due to mismanagement and neglect of the cultivation.

In July, 1787, Jonathan Duncan was appointed as Resident of Banaras on a salary of Rs. 5000/- per mensem. After assuming the charge of administration, he was directed to enquire into the evils prevalent in the administration of Banaras Province and to suggest remedies for its improvement. It appears from the report of Duncan that in many parts of the Province more than one half of the cultivated land was lying waste when he assumed the charge of his office.<sup>1</sup> In order to retrieve the province from its declining state and to form a regular system of administration, he was given latitude and vested with more authority than the previous Resident had.

He was directed to associate with the Raja in the administration of the Province and was advised to prepare and execute such plan which could constitute the Raja really or nominally the principal head in all matters of internal administration and to induce him to attend the business of the state.<sup>2</sup>

With a view to carrying out the wishes of the Government and giving the Raja full power and responsibility of administration, he left the impending settlement for the ensuing year (1787-1788) in the Raja's hands and withdrew

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1. B.R.C., April 26, 1781, pp. 188-189.

2. Ibid., July 12, 1782, p. 231.

the acting naiib Shanker Pandit and put the Raja in the charge of the settlement and collection of revenues.

Despite the bad prospects of the settlement, the Raja was anxious to win the good opinion of the Government and desirous of achieving complete success in the collection of revenues. He made settlement at the highest possible amount for every part of the province. Amils were encouraged to bid one against the other for the revenue farms and in the acceptance of the tenders more attention was paid to the amount of the bid and not at all to the character of the persons who made it or to the possibility of his being able to realize from the country as much as he had contracted to pay. The result was that the new settlement was the highest than had ever been made. During the five previous years the average annual gross collections from all sources had been Rs. 40,71,933-2-9; the new settlement was for Rs. 42,85,360-11-0<sup>1</sup> or more than two lakh higher than the average.

The settlement was made in the usual way and no complaint was made to Duncan except from Mehandi Ali Khan, a Persian adventurer, who had reported to Duncan that the Raja had exacted too high terms from him for the two paraganas of Ghazipur proper and Shadiabad which he had rented year before.<sup>2</sup>

It may be pointed out here that the Raja had to keep certain lands amari as he could not find renters for several of his districts.<sup>3</sup>

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1. Ibid., Sept. 12, 1788, p. 136.

2. Ibid.

3. Ibid.



On the recommendations of Duncan, the Raja also changed the form of amilnama and subuliat. According to the new amilnama, the amils were made expressively answerable for all thefts and robberies committed within their respective districts. They were to renounce all claims to any deduction on account of the abolition of duties on transportation of grain<sup>1</sup> and other articles of interior trade. They were also to forfeit three times the amount of any undue exactions of revenue that might be proved against them on the complaints of the ryot.<sup>1</sup>

Duncan was new to the Province. He had no knowledge of the local state of affairs. The first thing which shook his confidence in the stability of the settlement seems to have been the attempted suicide of Mehendi Ali Khan, <sup>The</sup> amil of the parganas of Shadiabad and Ghazipur proper. This incident occurred when Mehendi Ali Khan was called for the payment of his gizt which was wholly in balance and the Raja's peons threatened to carry him to the Raja's kuchehari to explain the causes for non-payment. When he was about to be carried, he took a large dose of arsenic in despair but he was saved by the medical aid rendered by Dr. Boyd who happened to be with the Resident at Banaras. This compelled Duncan to make a thorough inquiry into the whole matter. He made the Raja grant him a remission of Rs. 25,000 on his farm of the pargana of Shadiabad which was over-rented, while

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1. Ibid.

Mehandi Ali Khan relinquished the other more equally assessed pargana of Ghazipur proper to the Raja who had since kept it <sup>1</sup> ~~aman~~ through the year.

This incident was soon followed by a very serious and alarming plan set by Kulb Ali who informed Duncan that he had entered into engagements with the Raja beyond the ability of his district to yield. Since these remonstrances followed petty closely the affairs of Mehandi Ali, Khan, the Raja strongly objected to Duncan's attending to Kulb Ali's request, lest it should encourage other ~~smis~~ to do the same. Therefore, Duncan temporised. In the meantime, the Raja fell ill and was confined to his house for two months, during which Kulb Ali renewed and enforced his protestations about his inability to fulfil his engagements and Duncan now found, much to his disquietude, that he was in fact, or at least considered, as a bankrupt. Duncan was also satisfied that Kulb Ali was heavily indebted to his bankers who had advanced money for <sup>his</sup> ~~gists~~ and it was on their advice that he had entered into engagements.<sup>2</sup>

Duncan, after consulting the principal officers and state of Kulb Ali's receipt for these mahals which had farmed for 1194 Fasli (1736-37), was convinced that Kulb Ali's ~~mahals~~ were over rented by about thirty three thousand

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1. Ibid.

2. Ibid., ~~p. 122~~ ~~p. 138~~

rupees. So to prevent him from further loss, Duncan authorized Ibrahim Ali Khan to settle the matters with him on condition that either he should immediately relinquish all his farms or satisfy himself with a remission of ~~Rs~~ Rs. 25,000 only. Duncan promised to secure this remission out of the last dist, provided he paid all dists regularly. Kulb Ali accepted the terms.<sup>1</sup>

Duncan spent three months on tour in the company of the Raja and visited almost every part of the Province. While they were on tour in Jaunpur, Kulb Ali apprized them of a severe loss which he had sustained from a hailstorm in his pargana near Jaunpur and requested for a remission of revenue. But the Raja was not inclined to listen to his request on the former plea that his doing so would also attract other claimants. Duncan left the Raja to settle the matter as he deemed fit. He did not interfere in the matter as Kulb Ali had not honoured <sup>his</sup> as previous promises. Duncan promised to support the Raja in all his acts whether he preferred to send ~~sahabads~~ to secure the produce of the kabi crops still standing in the fields or agree to grant a revenue of Rs. 30,000 to Kulb Ali in consideration of the original high terms of his settlement and of his subsequent acknowledged and considerable losses by the hailstorm.

The second negotiation ended by conferring a khelat on Kulb Ali by way of storing confidence to the bankers who

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1. Ibid., pp. 140-141. p. 138

had entered into engagements to pay Kulb Ali's <sup>1</sup> qist which the Raja feared that he would not pay.

After the return of the Raja from the interior tour of the country, the troubles and difficulties arose between him and the zamindars, as he applied much strictness in the mode of collection. In April, 1788, payments were stopped altogether by Kulb Ali. At the request of the Raja, the Resident deputed J. Neave, Assistant Resident, with some military force to establish peace in the district and to assist in the realization of the revenues. As Kulb Ali was planning flight, he was called by the Raja to Banaras to account for his balances for the parganas of Khareed and Ballia of the Sarkar Ghazipur and confined him to his own house.<sup>2</sup> Neave remained at Jaunpur till the middle of August, 1788 and had the full charge of the administration of the district. He collected the revenue of rupees two lakh, but found that even if the whole sum due from village sub-renters were realized, it would amount to far less than the revenue for which the parganas were leased to him.<sup>3</sup> The causes of failure of payment of the revenue by Kulb Ali were due to the bankers who had appropriated to themselves the amount of Rs. 17084-4-0 <sup>3</sup> on plea of repaying Kulb Ali's debts for the preceding year. At the request of the Raja,

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1. Ibid.

2. Ibid., p. 142.

3. Ibid.

the Resident passed an order that they should refund this amount to the public revenue because it was conformable to the ideas and practice of India in similar cases to prevent all such unauthorized appropriations of the current collections more specially where the failing <sup>renter</sup> was an avowed bankrupt. But it excited the bankers and shroff through whom all the revenue of the province passed from the renters into the Raja's treasury, and they decided not to give their notes called dakhillas for the next qist, until the Resident agreed to refund the amount taken from them and to deposit it in one of their houses subject to such order as the Resident might ultimately issue on the subject. The Resident found himself in a difficult position because according to the prevalent system the shroffs or bankers were essential for the realization of revenues. The qist was not realized in cash but by their dakhillas or notes payable in a certain number of days. All renters were generally in arrears to them and the bankers exacted their own terms from the renters for these dakhillas as well as sometimes even from the Government. At last the matter was adjusted with the bankers, who acquiesced in paying back "one moiety of what<sup>1</sup> they acknowledged to have thus received and appropriated".

In every part of the province the result of the collections was the same as in Jaunpur. The Raja and his servants did their best to realize as much revenue as possible but

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1. Ibid., September 27, 1788, p.143.



when accounts of the year were made up, the total collection of the land revenue, the custom, and all other taxes were only ~~sicca~~ Rs. 38,15,379-12-3, being four lakh and seventy thousand rupees less than the amount of assessment.

The demands of the Government for the year were Rs. 39,01,732-7-9 (including Rs. 50,000 balance of revenue of previous years). The provisional charges were Rs. 1,19,309-6-6. So the total deficit for which Duncan had to provide was Rs. 2,05,662-2-0.<sup>1</sup> The Raja expressed his willingness to make up the deficit by taking possible recourse, as he was responsible for the settlement. A part of the deficiency was met from the amount collected against the outstanding revenues for the previous years and recovery from shroffia and the balance from an assignment upon the revenues of Kera Mangraur, the Raja's jagir and a loan of Rs. 85,000 taken by the Raja from Sheo Lal Dubey.<sup>2</sup>

Although the amount of the Raja's annual collection had continued to decline since the period of Chait Singh's expulsion, yet the nofussil rental or the annual assessment of the collections, including the collection made by the gails from the zamindars and ryot had on the whole exceeded to about one lakh of rupees more than what was collected during the last year of Chait Singh's reign. It was all due to several means of undue exactions by taking both shares of

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1. Ibid., April 26, 1789, pp. 172-173.

2. Ibid., p. 174. Sheo Lal Dubey was an gail and wealthy banker of Jaunpur. He associated himself with Kulb Ali in the farm of Jaunpur. He was made the Raja of Jaunpur later on. He realized the revenues from the interior of Jaunpur and deposited to the Benaras Treasury in gail. He was paid at the rate of 12 annas per hundred rupees as his remuneration.

of the crops. In some parganas there was a convention that amils were to take more than the equal proportion under the denomination of zabitanah.<sup>1</sup> The amils were left to assess their jama on the country ad libitum. Duncan was apprehensive that unless the present no-fussal irregularities were corrected and a regular system substituted, there would be an alarming failure in the receipt of the Government revenues.<sup>2</sup>

Therefore, on the 25th of June, 1788 Duncan suggested to the Raja the following changes in the revenue system:

1) He advised the Raja to grant uniform type of pattas. He considered that the diverse type of pattas enabled the amila to defraud the cultivators of their fare share of produce by illegal exactions and fraudulent behaviour. Naturally the introduction of a uniform pattern of patta was the first requisite to safe-guard the interest of the tenant. In pattas for land held on grain rent, the measuring rod to be used should be specified.

11) To prevent disputes about the rates at which the value of the Raja's shares was to be estimated in the lands of which the rent was payable in kind. That once in each of the two harvests of the year the Raja, with the approval of the Resident, should determine and publish by proclamation the rates of each kind of grain for each pargana.

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1. Ibid., Sept. 12, 1788, pp. 146-147.

2. Ibid., p. 147.

iii) In future the grain rents should be determined by the method of appraisement and no actual division of the crops should be made.

iv) That the pattas of lands held on grain rents should specify the proportion of the produce to be the share of the Raja and the ryot.

v) In the pattas for land paying according to a ready money settlement, the name and length of measuring rod should be mentioned. As the multiplicity of various abwabs and illegal exactions fell heavily upon the ryot, it should be provided that all abwabs introduced after 1187 fasli (1779-1780), the last year of Chait Singh's reign, were to be abolished with effect from 1196 fasli (1782-1789), while those which existed before 1187 - fasli (1779-80) were to be incorporated with the total revenue forming one consolidated sum and levied at certain fixed rate per bigha.

vi) All pattas should be issued by the gilla and darzana qanungos duly registered.

vii) The gilla should be deputed by the Raja in every part of the country to distribute pattas to the cultivators in conjunction with the gilla and qanungos.

viii) The cess imposed for the support of the qanungos should be abolished and land allowed for their support.

ix) The gilla should induce the cultivators to take some waste land in addition to their old cultivation on any

terms they liked. This additional cultivation would be a clear source of income to the Raja.<sup>1</sup>

The most important clauses in this proposal were those which provided for the abolition of the new cesses and for return to the rates of 1187 fasli (1779-80).<sup>2</sup> Under the above rules the new settlement was to be made at the rates levied in 1187 fasli (1779-80). Duncan issued necessary instructions to the qanungos to send from each pargana the standard measuring rod which was deposited in the Resident's office. He also forwarded draft patta for circulation among the ryot.

A meeting was held between Duncan and the Raja on the subject in which the latter showed considerable reluctance to carry out the proposed plans into execution and showed special aversion to the new form of pattas. He objected to the changes on the plea that by issuing new form of patta, his collections for the current year would be impeded and cost more expense.<sup>3</sup> Duncan did not like the Raja's attitude and signified to him, "If the Raja should decline he would himself resume the management in his own hands both of the collections and issuing of the new pattas".<sup>4</sup> He also promised to defray the additional expenditure of about rupees ten thousand which would cause for the gains to carry into execution the proposed regulations and which he hoped that

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1. Ibid., pp.147-150.

2. Ibid., p.150.

3. Ibid., p.150.

4. Ibid.

the Government would sanction.<sup>1</sup> He was convinced of the necessity of the new changes and because of his insistence, the Raja agreed to carry out the execution of the regulations and also to pay that year's revenue.<sup>2</sup>

Duncan had even earlier suggested to the Raja that in future the payment to the ganungos should be made in cash from the treasury. Until then ganungos were paid by the amils who collected certain abwabs from the ryot to reimburse themselves. This mode of payment kept the ganungos in a state of entire dependence on the amils, over whom they intended to have a constitutional check. He also suggested that the offices of the ganungos should not be hereditary and only qualified persons should be appointed to the posts. Their continuance in the office must depend upon their good behaviour and satisfactory performance of the duties allotted to them.<sup>3</sup> The rules passed on the 26th of June, 1788, was approved by the Governor General in Council on the 3rd of October of the same year as preparatory to the establishment of more regular system of assessing and collecting the revenue.<sup>4</sup>

Duncan also felt the necessity of a proper court for trying revenue cases. Although there was a Raja's Mulky

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1. Ibid., p.156.

2. Ibid., p.157.

3. Ibid.

4. Bengal Regulations, I, p.212.



adalat, but it was principally for causes of private property and was inadequate to hear revenue causes. The officers or judges were mostly Muslims and were unacquainted with the revenue laws and their habits and studies bore no affinity to such disquisitions. The ryot had, therefore, no regular jurisdiction to apply to and when they did complain, it was with the greatest difficulty that they could get some kind of qualified relief, references and inquiry by the order of the amils against whom they had complained.<sup>1</sup>

A court of justice, having revenue jurisdiction, was established from the beginning of the settlement of 1196 fasli (1788-1789) to hear and decide the disputes that arose between the ryots, zamindars and amils or collectors. This court was composed of two Indian judges, one, the nominee of the Resident and the other of the Raja. This court was to sit in the Resident's office and their proceedings and decisions were under his immediate control. All their orders were <sup>issued</sup> under his seal and signature<sup>2</sup>. The decision of the court was appealable to the Resident.

Duncan also assessed the real paying capacity of the province on the average amount annually collected for some years past from the zamindars and ryots. He secured a copy of the dissertations of the statement proposed by James Grant, Jr. on the General Finances of British Territorial

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1. B.R.C., Sept. 12, 1788., p. 160.

2. Ibid., pp. 160-161.

Acquisition in India in which he had estimated the revenue of the zamindari of the Banaras for 1184 fasli (1176-77) to be Rs. 73,78,321 but Duncan, after careful examination, found that some of the mahals or districts had been over valued while others inserted did not form part of the zamindari.<sup>1</sup> This valuation was overrated to the amount of Rs. 14,12,916-4-9. His estimates were corroborated by the muassil receipts and facts supplied by Ausan Singh, Sadanand Bakshi and other revenue officers of Banaras.<sup>2</sup> He thoroughly scrutinized the accounts of the preceding five years of the Raja's Sadar Settlement and found that the assessment made by the Government was fairly high. The average actual collection for one year was Rs. 40,71,933-2-9. After deducting from it the charges of the collection and the diminution in the resources of 1195 fasli (1787-88) by the customhouse regulations, the probable net collection for future years for the muassil was Rs. 37,58,881-11-0, which was quite inadequate to meet the Government's demands.<sup>3</sup>

A comprehensive report furnished by Duncan containing the remedial measures of the revenue administration of the country was praised by the Board as a "Clear and Satisfactory account which the Resident had afforded them of the revenues and the state of Benares, and they applauded the zeal that suggested and the assiduity employed in endeavouring to restore the country to order and regularity".<sup>4</sup> All his

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1. Ibid., pp. 125-126.

2. Ibid., p. 126.

3. Ibid., pp. 132-133.

4. Ibid., Oct. 3, 1788, p. 23.

recommendations were accepted. He was authorized in clear terms to undertake the entire revenue settlement of 1196 fasli (1782-89) under his supervision.<sup>1</sup> He wrote to the Raja that it was necessary to fix the revenue of each pargana upon the footing of those pattas according to their actually ascertained ability so as to afford the means of levying the revenue payable on as equal and easy terms as possible to all the inhabitants of the zamindari.<sup>2</sup> He also informed the Raja that he would not appoint any renter who was disagreeable to the Raja nor fix on any renter without obtaining the Raja's previous assent, and he would always be ready to receive the Raja's recommendations in favour of any appointment he might wish to make and that all these appointments would be notified under the seal of the Raja. The Raja agreed to the above plan. The notifications, relative to the manner in which the settlement for 1196 fasli (1782-89) was to be made, issued throughout the province addressed separately to the qanungos of each pargana and mills of the district.<sup>4</sup>

After taking over the charge of the revenue administration, Duncan wanted to strike at the root of the evils of an enhanced or unequal assessment and to fix the jama after the ascertainment of cultivation of 1196 fasli (1782-89) and examination of the estimates of the qanungos by a general measurement of land. Since the general measurement of the

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1. Ibid., Oct. 7, 1782, pp. 113-114.

2. Ibid., p. 114.

3. Ibid., pp. 112-113.

4. Ibid., pp. 107-109.

land previous to the settlement would have taken considerable time, Duncan was determined to make the settlement on the basis of the reports of the ganungos and their estimate of actual produce which were to be verified and corrected on the basis of experience of the previous years and also corroborated by his own judgment.<sup>1</sup>

Prior to the settlement of each pargana, Duncan had before him its jama and abwab for 1187 fasli (1779-80), (the year according to which the future rates payable by the ryot were to be settled), and the same accounts for 1195 fasli (1787-88) or the latest assessment. Thus the revenue of two extreme years was to be compared with the douls or estimates of the ganungos for the 1196 fasli (1788-89). Out of these douls deductions were to be made on account of firstly, the dahvek or 10 per cent to be given to the muil for his profit and to meet the charges of his muassil management, secondly, muafi and muirai (being certain articles of usual collections and deductions); thirdly, collections under the amount of ganungo's nankar or allowances in the lands assigned to them in each pargana and fourthly and lastly, the half of former bhuray or due of the bankers who remitted the collections from the country to Benaras. The remainder constituted the sum to be paid by the muils to the Government, as had been the general rule of the Settlement.<sup>2</sup>

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1. Ibid., April 28, 1789, p. 181.

2. Ibid.



It is worth mentioning here that Duncan abolished all the new cesses that had been imposed after 1187 fasli (1779-80) and had incorporated the old ones into the land revenue. So there remained now only one denomination of land revenue at Banaras, viz. mal and Duncan did not think advisable to impose any fresh cess.<sup>1</sup>

This was done with a view to simplify the public accounts and abolish every opening left for corrupt and irregular practices crept into the mode of collection of revenue.

The qistabandi of the smils or instalments by which the smils were to pay their revenue became the next object of Duncan's attention. I have told you earlier that during the reign of Balwant Singh, the collections were made from the krori from ashwin (first month of the year) to 1eth (ninth month of the year) and during the following three months the krori were at liberty to carry on their ploughing and cultivation for the ensuing year.<sup>2</sup> The sadar qistabandi or mil's payments to the treasury extended to only ten months or to the end of asad (June-July). But in Chait Singh's time the period of sadar qistabandi was relaxed and after his expulsion collections were made throughout the year. Duncan realized the benefits accruing from the regulations of Balwant Singh and he enforced them again so that no collections were to be made in the last three months of the year and that the instalments of the smils were to be paid in the first ten months of

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1. Ibid., p.183.

2. Ibid., pp.183-184.



the year i.e. one half in the rainy season from kharif harvest and the other half in the summer season from the <sup>1</sup>rabi harvest.

Duncan prepared a general estimate of the approximate revenue in two forms: first, on the footing of lease for one year only; and second, on a calculation or estimate of what the farmers of many of the impoverished districts might be induced to agree to as a surplus, even on the present year's jama in consideration of their farms being let to them for a period of five years on an increasing jama.<sup>2</sup>

The result of this rough estimate was that by letting all the parganas on leases of one year, only Rs.35,28,633-13-0 would be obtained and that by fixing five years leases for such of them as were more decayed, Rs.36,01,863-14-6, might be procured. The rental in the latter case by gradual increase on the let for five years might on the 5th and last year rise to above Rs.3,80,000 which was as high as the government ever perhaps wished to raise or maintain the mofussil rental of this country.<sup>3</sup>

Upon a mature consideration of the project, Duncan was convinced that the pargana once reduced and impoverished could never improve or be effectually restored under the operation of annual settlements in which the inhabitants were

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1. Ibid., pp.184-185.

2. Ibid., p.190.

3. Ibid.

liable to constant changes of interior management.<sup>1</sup> After obtaining the consent of the Raja, he settled some of the impoverished nahals with the substantial gails for five years, while the settlement of the parganas which were not impoverished was first made away for one year but owing to defect in the annual lease, most of them were extended into five year's leases.<sup>2</sup>

Duncan commenced the work of actual settlement from December 13, 1788, with the consent of the Raja. A new form of engagement was prescribed for the gails, the main stipulations of which were:

1) That they would collect the village rents according to the estimates (douls) of the ganungas exclusive of:

- 1) Customary articles of deduction (muzray)
- ii) Other lands free from established customs (mafi, usuli and khareji iana).

2) That they would abide by the pattas granted in accordance with the rules of the 25th of June, 1788, and enforce those orders.

3) That they would use a standard measuring rod in the measurement of land as prescribed by the Resident for the whole province, the length of which would be equivalent to the length of the size of a square higha, viz. 56 yards.

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1. Ibid., p. 191.

2. Ibid.

The standard Banaras Bigha was equivalent to .646 of an English acre.

4) That they would ~~a~~ abstain from demanding the abolished customs duties and cesses of every description.

5) That they would arrest and send for trial any person committing theft, robbery, murder and affray with a report of the circumstances of the case, authenticated by the signature of the pargana qanungos and qasid.

6) That they would be themselves responsible for the value of the property stolen within their jurisdiction which they were unable to trace and recover from the actual robber.<sup>1</sup>

From the 13th of December, 1788, upto the end of the month, all the qanungos of the province attended the Resident at Banaras and furnished their estimates of the available assets of their parganas. These estimates were examined and considered separately by the Resident. In most cases they were accepted and made the basis of the settlement of the revenue of the gails and in a few cases, where they appeared too low, the principle of competition was admitted to a limited extent, and the revenue of the gail was, with his consent, fixed at a somewhat higher amount, and in two cases (those of Kalanja and Dargachahi) the Resident was precluded from obtaining the full revenue ascertained by

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1. Ibid., pp. 185-186.

the ganungo's estimates as the mills produced per<sup>f</sup>etual grants of the parganas at inadequate revenue under the signature of the former Resident, Francis Fowke. In all such cases, the Resident prepared an account of the loss thus sustained by the Government and arrived at an agreement with the parties for the payment of full issu.

Finding that a few villages had been very improperly and recently alienated from the Revenue by the farmers of Jaunpur without the sanction of the Raja or the Government,<sup>1</sup> the Resident had resumed them to the amount of Rs. 1044-12-6. But in a few cases some concessions had to be made to the favourites and relatives of the Raja; for example, Dalip Singh, a favourite of Raja Mahip Narayan Singh, was given a concession of Rs. 4000/- in a jagir in the pargana of Shoos and in a farm called Harabooa and Rani Gulab Kunwar, grand mother of Raja Mahip Narayan Singh, was given in the parganas of Raihoopur, Kaswar, and Karuna.<sup>2</sup> Although it was the small amount but these were felt by the Resident as sacrifice and he yielded to them with reluctance. The most alarming falling off in revenue resources existed in the four large parganas of Pachotar, Kantit, Zahoorabad and Sikandarpur. The ganungos were examined on oath and attributed to this decrease to the present year's drought, mismanagement of the former year<sup>3</sup> and consequent diminution of cultivation.

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1. Ibid., p. 157.

2. Ibid.

3. Ibid., p. 158.

Duncan was much alarmed at the prospect before him and seeing clearly that the resources of the province would be insufficient for both the revenues of the Government and the provisional charges, he decided to reduce the latter as much as possible. He, therefore, urged the Raja to reduce the expenses of Sadar kachehary and to maintain for his retainers only 10 horsemen, 60 peons and 40 harkaras in place of 47 horsemen, 287 peons and 75 harkaras. The above policy of Duncan although hurt the feelings of the Raja <sup>but</sup> it ensured a saving of <sup>1</sup> Rs.13,533.

The honesty, integrity and financial stability of the amils were the main considerations in making the settlement. Two of such amils were Sheo Lal Dubey and Shankar Pandit. A Settlement was made with Sheolal Dubey for the pargana of Bhulli for one year and that of Jaunpur and its dependencies for five years.<sup>2</sup> The very decayed and extensive pargana of Sikandarpur was made over to Shankar Pandit.<sup>3</sup>

In 1196 fasli (1788-89), Duncan made Settlement with 38 amils for five years and 28 amils for one year. The amount of settlement was entirely realized and the actual collections were Rs.8236 higher than the anticipated. The customs duties of province, which amounted to about four lakh of rupees, were not included. Adding to them the land revenue of the year, the total sum was yet one lakh of rupees less than fixed by Warren Hastings.<sup>4</sup> As the Raja had not been responsible

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1. Ibid., pp.188-189.

2. Ibid., pp.192-193.

3. Ibid., p.194.

4. Ibid., pp.210-211.



for the administration during the year, he was not called upon as in previous years to make good the deficiency from his jagir lands. Some attempts were made by Duncan but without success, to make up the deficiency by curtailing the annual allowances sanctioned to the village zamin-dars<sup>1</sup> amounting to Rs.83,156. He also suggested to diminish the deficiency by reducing the allowances to the Mohammedan pensioners restored by Warren Hastings. But the Board did not agree to these proposals. They were not prepared to adopt such measures which would shake the confidence of the inhabitants of the province in the Government or to give<sup>2</sup> them the impression that the Government was inhuman.

They further directed Duncan not to adopt any measure for diminishing the deficiency of Rs.1,01,814-15-4 between the settlement and the demand of the Government upon Benaras, which would shake the confidence of the inhabitants of the Province in the Government and advised him to increase the custom<sup>s</sup> duties to meet the demand. They were against any diminution of Charitable allowance to the pensioners which<sup>3</sup> was highly inadvisable.

The Board observed that the insufficiency of the ordinary funds in 1196 laski (1782-83) for making good the stipulations to the Government for that year was more than counterbalanced by the following considerations: That in the

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1. Ibid., p.212.

2. Ibid., June 17, 1783, p.386.

3. Ibid., p.392.

present state of zamindari no provision could have been made for the complete discharge of the amount without rack-renting the country and inducing future impoverishment; That the ryot had been relieved from many impositions in their nature arbitrary and in their amount unlimited; that by due regulation a bar had been opposed to future exaction and that the demands upon the ryot had been simplified and rendered definite; that the public revenue had been provided for in real and ascertained funds, to the general advantage of all responsible for it and that confidence and security had been established.<sup>1</sup>

The Board was convinced that these objects had been promoted and attained by the abolition of duties and tolls affecting the commerce of the country and community at large. As such diminution of the jama was expedient and necessary and a moderate sacrifice to the future prosperity of the country, with which the interests of the British nation was so immediately connected, was unavoidable.<sup>2</sup> Since the jama was not expected to be realized, the settlement was permanent and the deficiency was temporary, the Accountant General was asked to allow in his estimate the deficiency of a sum of Rs. 76,814-15-4, being the balance of Rs. 1,01,814-15-4, after deducting from it Rs. 25,000 only on account of enhanced receipt of customs and a sum of Rs. 38,42,689-14-6 for the revenue demandable by the company during the current year, as being based on actual or estimated resources.<sup>3</sup> The Board further

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1. Ibid., p. 386.

2. Ibid., p. 386.

3. Ibid., p. 394.

viewed with the beneficial effects of the settlement with regard to the peace and happiness of the country and observed that the rules of the 25th of June, 1788, were well calculated to promote these objects and a steady adherence to them, as a mustur-ul-mal for the province at large, was the surest<sup>1</sup> means of rendering these benefits permanent.

For the guidance of the amils in forming the muftusail settlement which took place from the beginning of 1196 fasli (1788-89), the following orders were issued on the 14th of June, 1789, respecting the interior arrangements to be adopted from the commencement of the second year of the term of leases for five year.

That the villages and land should be let by the amils to the zamindars or hereditary land holders and not to mere farmers (excepting where no hereditary land holders remained), on the douls or estimates of the revenue assets in each person's share in the lands let on a five year's lease for the remaining four years thereof but that where the hereditary zamindars refused to engage and give security for the payment of the amount of the qanungo's deal, their lands should be rented for the same term to farmers, and that the pattas to be given according to the prescribed form should contain the full amount to be paid on all accounts to the amils, without any reservation of separate nazarana or other demand.

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1. Ibid., pp. 394-395.

Raja Mahip Narayan Singh also agreed with the above order, because he thought that the zamindars were permitted to rent most of the villages, not indeed on any permanent footing but as annual farmers, who were again dependent on the mail of the pargana who paid to the Raja's treasury. In this state of fluctuation and depression, they were mostly reduced to very low and indigent state. At least the above order would enable them to become in due time the permanent renters of the villages either under an mail or otherwise by paying to the Raja.<sup>1</sup>

It is to be observed that Settlement proceedings of the year 1196 fasli (1788-89) had made provisions for leases of two classes:

- 1) The actual cultivator for his own fields,
- 2) The mail for his whole pargana from the Resident.

The order of June 14, 1789, enacted and regulated the issue of an intermediate class of lease, viz. from mail to the village manager, who, in his turn was to grant lease to the cultivators of the fields in his villages.<sup>2</sup>

The Settlement as made in 1196 fasli (1788-89) for the period of one year and for five years was approved by the Government on the 17th of June, 1789. Duncan was at the same time directed to endeavour to introduce a decennial settlement

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1. Ibid., June 14, 1787, pp. 320-323.



in the province of Banaras as a preparatory step towards the introduction of the permanent settlement, which was to be introduced in the Province of Behar, with the object of "ascertaining and limiting the demand of Government and securing to them in perpetuity the quiet enjoyment of the fruits of their industry.<sup>1</sup> The arrangement which had been adopted in Banaras were obviously inadequate for that purpose. The amount of the revenue realizable by the gails from the ryot and under-farmers varied agreeably to the extent of the actual cultivation and accordingly, the produce of the lands was not ascertainable until the rabi or second crops had ripened. The gails collected in the meantime from their under-renters (whether village zamindars or farmers) on account, until the arrival of the season for forming an estimate of the produce of the whole year; when the zamindars or farmers entered into qubulats for the year.<sup>2</sup>

This mode of collection was productive of many disputes. When it appeared to the gail that his under farmers were unwilling to pay to him an adequate consideration for their farms, he of course became desirous of dispossessing them by either letting the farms to others or collecting the rent himself from the ryot. This system tended to discourage agriculture and at the same time it operated as a source of constant altercation between the gails and the various

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1. Ibid., June 17, 1789, p.407.

2. Bengal Regulations, I, p.214.



competitors for village tenures and consequently rendered it desirable to conclude separate muassil settlements, formed under the sanction of the Government, for each taluka or village throughout the country paying revenue to the Government.<sup>1</sup>

The Board also sent Duncan a copy of the instructions issued by the Government relating to the formation of the Permanent Settlement and desired that Duncan should lose no time in communicating to the Government his sentiments regarding the expediency and practicability of introducing a similar plan of settlement into the Province of Banaras, at the commencement of ensuing year, either partially or generally and whether any modifications would be necessary, arising either from differences which might exist between the land tenures in Banaras and those in Bihar; or from the relative situation of the Raja and the land holders and cultivators in the districts, under his authority. If Duncan was of opinion that the system might be adopted with success in Banaras, he should try to persuade the Raja to agree to its introduction.<sup>2</sup>

Duncan visited the Raja and explained to him the general principles and advantages of the system which would accrue equal benefits to the Raja and the country at large.<sup>3</sup> Raja<sup>4</sup> agreed to the introduction of decennial settlement.

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1. Ibid., June 17, 1789, p.408.

2. Ibid., pp.408-409.

3. Ibid., October 21, 1789, p.423. (contains an enclosure of the letter of the 6th of July, 1789).

4. Ibid., p.425.

After obtaining the formal assent of the Raja, Duncan decided to make immediate trial of the system of a ten years' Settlement in a few of the districts that were not under five years lease, including also three or four parganas in which the five years lease had been forfeited or resigned by the farmers, such as Ghazipur, Kharid, Gurrah, Dehma and Chunar. The most trustworthy amils<sup>1</sup> were appointed to these parganas with minute instructions.

A native commissioner or amin was deputed to make the Settlement on the principles as laid down in the orders of June 14, 1789, as already described, and he also received<sup>2</sup> the following additional instructions:

1) When three fourth's of any village was cultivated, the settlement was to be alone made at a uniform rent for the whole period of ten years.

11) When more than one-fourth of the village was waste land, the Settlement was to be made for the first five or six years of its currency a progressive one.

111) A clause was to be entered in each counter part of the lease that wherever there was any balance left unpaid in the amount of the proprietor's engagement, it would be recovered by the sequestration and sale of the proprietor's property, including the land of his zamindari or share,

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1. Ibid., p. 419.

2. Ibid., pp. 410-411 (contains an enclosure of the 27th of July, 1789).

whenever the Government ordered the same to be put up for sale by auction.

iv) The taxes on spirit shops and weavers and the Ghurdewali or shop tax, appertaining to the old sayer or customs, still unabolished, would be kept distinct from the leases granted to the zamindars.

v) Villages without proprietors were to be settled by leasing them to creditable and promising farmers on their furnishing security.

vi) Where zamindar would not agree to a reasonable rent, their village was to be farmed and a provision made for the subsistence of the ejected zamindars.

vii) The villages of females and minors were to be made over to friends of the family in farm, an allowance of 10 per cent being allowed for the maintenance of the female or minor.

viii) The instalments of revenue were to be fixed to facilitate the revenue payers.

It is to be observed in the rule three of the above that the germ of the pernicious system which originated in Bengal had nullified the advantages of the Permanent Settlement of the Banaras Province to a great extent. The revenue began to be realized by the auction. Duncan also declared that the village zamindars, who had been dispossessed before May 21, 1775, the date from which the Company's sovereignty

over the province was established would be excluded from<sup>1</sup> the Settlement. This was done to avoid the frequent appeals from the decisions of the former administration. A circular was also issued to the qarungos that they should fix the rental of naadi land in the presence of chaudhri, qazi and principal people of the pargana for the Settlement of 1196 fasli (1788-89),<sup>2</sup> and the batai land according to the estimate of 1187 fasli (1779-80). In respect of naadi and mushakhasi land, the ryot were to pay the revenue throughout the year in one sum without abwah, and in batai lands the length of the latta and zabitanah were specified. They were not to<sup>3</sup> allow any land to remain uncultivated.

Much difficulty was experienced every where in the introduction of the uniform and standard measuring rod of the many and various local standard of length which were in use in different parts of the country. Recently the amils established, with a view to enhance the rent of cultivators, custom that their subordinates, when measuring the fields of the husbandmen with ropes, should make twists or loops of the rope (morh) round their neck and shoulders at the beginning and end of each side of a bigha. The result of this was to diminish the size of the bigha, sometimes as much as one sixth. The custom prevalent in Ballia was somewhat different. The amils tied a knot in the measuring rope at<sup>4</sup> every half bigha and gave it a turn round their neck. There

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1. Ibid., June 30, 1789, p.463.
  2. Ibid., July, 1789, pp.8-9.
  3. Ibid., p.9.
  4. Oldham, op.cit., pp.131-132.



over the province was established would be excluded from<sup>1</sup> the Settlement. This was done to avoid the frequent appeals from the decisions of the former administration. A circular was also issued to the qanungos that they should fix the rental of naqdi land in the presence of chaudhri, qazi and principal people of the pargana for the Settlement of 1196<sup>2</sup> fasli (1798-99), and the batai land according to the estimate of 1187 fasli (1779-80). In respect of naqdi and mushakhasi land, the ryot were to pay the revenue throughout the year in one sum without abwab, and in batai lands the length of the latta and zabitanah were specified. They were not to allow any land to remain uncultivated.<sup>3</sup>

Much difficulty was experienced every where in the introduction of the uniform and standard measuring rod of the many and various local standard of length which were in use in different parts of the country. Recently the smils established, with a view to enhance the rent of cultivators, custom that their subordinates, when measuring the fields of the husbandmen with ropes, should make twists or loops of the rope (morh) round their neck and shoulders at the beginning and end of each side of a bigha. The result of this was to diminish the size of the bigha, sometimes as much as one sixth. The custom prevalent in Ballia was somewhat different. The smils tied a knot in the measuring rope at<sup>4</sup> every half bigha and gave it a turn round their neck. There

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1. Ibid., June 30, 1789, p.483.

2. Ibid., July, 1789, pp.8-9.

3. Ibid., p.9.

4. Oldham, op.cit., pp.131-132.



were enforced throughout the province three classes of bighas:

i) The standard bigha of 56 yards square as determined by Duncan.

ii) The original local pargana bigha, and

iii) The local pargana bigha diminished by the custom of making loops. In July, 1789, Duncan abolished this objectionable practice of making loops in the measuring rope and ordered that the rates for the standard bighas should be adopted as prevalent in 1187 fasli (1779-80) a primitive local bigha and not to that diminished by fraudulent and rapacious <sup>1</sup>milas.

Duncan took much interest in the cultivation of the land. He agreed to the proposal of the qanungos to bring into cultivation 5000 bighas of waste land in pargana Dhoos on moderately progressive ima from six annas to two rupees for the first three years, after which the rent was to be increased according to the ordinary rates of the pargana.<sup>2</sup> He also accepted the proposals of the milas of Jaunpur for bringing into cultivation 5000 bighas of jungle land lying on the frontier.<sup>3</sup> He had also taken into consideration the proposals made by the milas of Shadiabad for bringing into

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1. Ibid., p.132.

2. B.R.C., Oct.21, 1789, p.339.

3. Ibid., pp.340-341.

cultivation about 12000 <sup>1</sup>highas of land which had lain waste for several centuries.

Duncan included certain additional clauses in the pattas of 1189 fasli (1781-82) on the basis of the orders of the 25th of June, 1788, in which (i) the villages and lands were rented by the smils to the zamindars and hereditary land holders on the douls or estimates of the revenue funds in each person's share; and where the hereditary zamindars of the villages refused to engage and give security to pay the amount of the qanungo's doul, their lands were rented for the said term to the farmers and the pattas were given according to the prescribed form containing the details of the amount to be paid to the smil, (ii) in like manner, as the smils were to issue pattas to their ryot, specifying the rates of revenue and the length of the nal or rod without deducting any thing from the full length thereof gorha or loops or otherwise in the manner specified in the rules of June 25, 1788.<sup>2</sup>

Duncan paid his attention towards the assessment of each land holder as equitable as possible before the conversion of the 4 years Settlement into decennial Settlement. He directed the qanungos of each pargana to furnish the true accounts of the last ten years from 1187 fasli (1779-80) to 1197 fasli (1789-90), <sup>to</sup> highas or mafussil assessment of each pargana or mahal and discharge the duties incumbent on them to propose a correct distribution, among the present land holders of "component parts and proportions both of

1. Ibid., pp.343-344.

2. Ibid., Oct.2, 1788, pp.153-154.

10 and 4 years Jummas<sup>1</sup>. The latter were to grant pattas to their ryot specifying the rates of the revenue and the length of the nal or rod. They were also to sign a declaration that they had neither concealed the true facts nor given a mis-statement. This ten years Settlement is still known and spoken in Banaras as the doul dassand<sup>a</sup>. They were also to give undertakings, after the conclusion of the Settlement of a parwana, that they knew of no undue favour or severity in the assessments made and that it had been based upon the rates prevalent in 1187 fasli (1779-80).

The muhs were also required to give a solemn declaration that they would neither extort nor receive any sum under any pretext whatever in excess of the amount of revenue specified in the lease or pattas of each zamindar, farmer or share holder, which had been signed and stated by themselves and the English Settlement Officers.

They were to collect the revenue according to the orders contained in the rules of June 25, 1788, and the measurement of the panadi or ready money land producing khayrar (opium and vegetables) and sugarcane, and other produce of the khari or zahi harvest, as specified, for one or two harvests from gonad (land near the village), usana (land situated farther off), pala (or land at a great distance from the village), according to the first second and third kind thereof, was not to be made by any

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1. Ibid., Dec. 26, 1788, pp. 217-218.

nal or rod than one of the length of 3 darah illahi which was equal in length to the standard nal or rod sent from the sadar kachohari under an English seal and deposited in charge of the ganungos of the pargana. Each bigha should consist of 20 kattas.

The rate of naqadi or revenue land paying ready-money was based on that of 1187 fasli (1779-80) and included the abwab of that year. Batal revenue lands were also measured by the same <sup>rod</sup> and the produce thereof ascertained by the mode termed kunkoo through the arbitrators and ganungos and divided and taken according to fairness and justice. The nirah or rate of value was to be fixed on the grain of kharif harvest in the month of January-February, while that of rabi in the month of May-June according to the current price <sup>1</sup> prevalent in the parganas.

They were to swear that they would collect only the nal or assal from the rust with its abwab and not to make use of any other nal or measuring rod excepting that specified in the above regulations.

Duncan went to Calcutta on October 22, 1789, to consult on the important subject of mufussil Settlement with the Governor General. His policy was not to disturb the existing settlement in parganas where the quinquennial settlement was

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1. Ibid., Nov. 27, 1789, pp. 369-384.

already in progress and to introduce the decennial settlement in other areas after making the Raja a party to the above settlement. His proposal was approved by the Government

Soon after his return from Calcutta, on November 9, 1789, he obtained the consent of the Raja and went on tour throughout the province with him. He experienced great difficulty in making the settlement of Jalhoopur Pargana due to relatively small number of zamindars. He found that out of about 5000 village zamindars in Banaras, nearly 3000 were in actual possession of the land in various districts and rest remained excluded because they were dispossessed by Balwant Singh, before the sovereignty of Banaras was ceded to the Company on May 21, 1775. He therefore impressed upon the Government for the restoration of the dis-<sup>1</sup>possessed zamindars.

For the purpose of making these Settlements, the Resident and his assistants proceeded in November 1789 on different circuits throughout the province. Their object was to examine and revise the assessment in respect of quartermial mofussil Settlement as proposed by the amils and qanungos on the basis of asai and adahi up to the year 1187 fasli (1779-80) and to correct such errors as should appear to have been made, either in the exclusion of persons entitled to be considered as zamindars or in the allotment

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1. Ibid., Nov. 25, 1790, p. 156.



of the isna, in constituent parts of the total of the assessment of each district. This allotment was to be regulated (as well in regard to the quartennial as the decennial settlements), as nearly as might be ascertainable, according to the ability of the respective villages or pattis (or shares or subdivision of villages), so as to admit of the zamindars and farmers in realizing the revenue assessed in conformity with the revenue rates of 1187 faali (1779-80); and where a large portion of the land remained waste and uncultivated, a gradual and moderate muasaf or increase, for the few first years of the term of the general leases, was to be assessed in consideration of the rights of the Government to some share in the advantages accruing to the renter by bringing the land into cultivation.<sup>1</sup>

It was further provided that the articles of the spirituous liquors, and the tax on the shopkeepers and weavers, comprehended under the denomination of Abkari, ghardewari and khargui should be separated from the collections of the renters and realized by the malis of the respective districts, as far as these articles separately existed by without seeking to establish or extend them. The exclusion of these contingent articles from the collection of zamindars and farmers was made with a view to ascertain and limit the amount and thereby to prevent them from being perverted into an indefinite means of exaction. The Resident

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1. Ibid., pp. 149-152.

felt that much advantages would accrue if the above articles were rendered distinct from mal or land revenue and were wholly or partially abolished according to their nature and effect. Accordingly, the qubuliats taken from the pattas granted to the zamindars and farmers specified this alienation from the funds assigned for their collections and the deed in question further provided that in conformity with the rules of the 25th of June, 1788, the renters were to restrict their collections from the mal to and within the rates of 1187 fasli (1779-80), together with those of the 1st of July of the same year. They were to ascertain the measurement and difference between the old and new mal or rod (the differences were endorsed on all the new pattas). The deed also specified the rules for the collection of revenues, its payment and sale of land by auction in case of default.<sup>1</sup>

These engagements likewise stipulated that the renters whether zamindars or farmers, should neither resume any lands that were held free up to the fasli year 1195 (1787-88), nor make any grants of this nature. They were responsible for all robberies committed within their respective limits, specially on travellers and merchants. If they were unable to discover and apprehend the thieves or robbers, they were to pay the amount or value of the articles taken or plundered.<sup>2</sup>

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1. Ibid., pp. 152-153.

2. Ibid., p. 154.

When these preliminary forms were adjusted, the next and most material consideration for Duncan now was to assess justly the rental on each separate village or larger sub-division of the different parganas. He had before him the name of each district, the number of zamindars in and out of possession and the highas in and out of cultivation, the quantity of free land, the population, the number of forts and rivers, the principal articles of manufactures and trade and the gross quantity of grains produced. He had also previously obtained from the ganungos of the respective parganas an account of the assessment on all the villages for the ten years. On the basis of above considerations the Settlement for 1789 was made on equitable principles.<sup>1</sup>

The accounts of the Settlement of each pargana had been sub-divided, first, with the zamindars, secondly, with farmers and thirdly, that which remained amni, or where there were neither zamindars, nor farmers, the amla collected directly from the ryot. Under this Settlement nearly 2/3 of the area was settled with the village zamindars, 1/4 was left with the farmers and 1/12 remained amni (where the collections continued to be made directly from the ryot because of the absence of zamindars and farmers.<sup>2</sup>

The Government directed that the four years patial should be confirmed for the ensuing six years, & so as to reduce the whole to a ten years settlement and the assurance

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1. Ibid., pp.156-157.

2. Ibid., p.158.

be given to the patta holders that as long as they continued to pay their revenue stipulated in the last year of the increase as specified in their pattas, they would not be liable to pay any further sum during their life. Thus the settlement was extended throughout the Province of Banaras.<sup>1</sup> The result of the Settlement was encouraging. The entire collection for 1789-90 had been realized and the increase in that year amounted to 85,000 rupees.

In 1792 Duncan was deputed by Cornwallis to Malabar as a Commissioner of the territories ceded by Tipu Sultan. Hence the introduction of Permanent Settlement in Banaras was delayed, because in Duncan's absence Cornwallis did not want to introduce it.

During the absence of Duncan, P. Treves acted as Resident for nearly a year and half. The revenue was collected with ease and punctually and the country continued to improve.

Lord Cornwallis was succeeded by Sir John Shore who belonged to Cornwallis's School. He had tried to complete Cornwallis's unfinished tasks in Banaras. He accordingly instructed Duncan, during the latter's short stay in Calcutta on his way back from Malabar to Banaras, to try to obtain the Raja's consent to the introduction of the Permanent Settlement in Banaras. After a great difficulty he was able to obtain the Raja's assent after five months.<sup>2</sup>

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1. Ibid., February 11, 1791, p.321.

2. *Id Oldham*, op.cit., p.168.

Duncon wanted to remove certain defects which were noticed in his late Settlement before the permanent Settlement was introduced. He noticed that some of the parganas were over-assessed and out of 4700 pattas about 700 had been "during the course of five years that had elapsed, been given up, or had become otherwise ineffectual, and required now to be renewed"<sup>1</sup>. He tried to regulate and limit the exaction of <sup>a</sup>talbana or peon's fee, by fixing the rules for every pargana and by rendering it penal in any amil or collector to issue talab chitthi and dastak without the ganungo's attestation. They were required to endorse thereon the rate of <sup>a</sup>talbana to be exacted and to maintain a register for the amount realized so that it could be paid into the mulky treasury at the end of the year.<sup>2</sup> He directed that, as far as possible, only one pargana should be held by an amil or collector or by an amil who would remain in the city of Banaras instead of in his district in order to avoid two evils arising from naibahing and non-residence. He also directed the zamindars and farmers holding the pattas from the Government, an option of either paying the amount of their respective quota of the public revenue to the amil of the district or directly into the <sup>3</sup>treasury of the Government at Banaras. This was done to protect the cultivators from any undue exactions by the amils

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1. B.R.C., July 22, 1794, p.378.

2. Ibid., p.381.

3. Ibid., p.382.



The Board directed Duncan to express to the Raja "their sense of his very liberal conduct in regard to the unconditional assent which he had given to their recommendation"<sup>1</sup>. Duncan also acquainted the Raja that the surplus revenue which was to be annually collected would be regularly paid to him, after deducting such part of it as he might voluntarily allow to be expended for the improvement of the zamindari and for defraying a proportion of the expense of the judicial establishments and for the maintenance of the Hindu college, construction of roads, bridges or other work <sup>2</sup>for the prosperity of the zamindari subject to his approval.

While Duncan was busy in improving the Settlement of the mofussil, the Board transmitted certain points for his consideration. The Raja was to be acquainted that his signature to nattas and farish khattis would remain current as before, and that his officers would be allowed to keep <sup>3</sup>counterfoils of all accounts.

As preparatory to the introduction of the system, the Board considered it essential that in all practical cases the amount of the rent payable by the proprietors and farmers of the lands would be fixed in perpetuity. The object of the system was to protect private rights and as the limitation of the public demand upon the lands was obviously the most

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1. Ibid., Sept. 19, 1794, p.110.

2. Ibid., p.111.

3. Ibid.

important and valuable right that could be conferred on the people in Banaras who were in any respect concerned in the cultivation of the land, the Board should scarcely consider the country in a state fit for the reception of the system, if this right was not to be extended to them. The measure likewise connected with the emancipation of the above class of people from the severities and oppression of gails, farmers and other officers employed to collect the public dues. The Board also recommended that settlements should be made with the zamindars who still retained the proprietary rights in lands and were also the gubuliatdars. Where there were no gubuliatdars, the existing leases of farmers were to remain in force until their expiration, when the proprietors would have the same option of entering into engagements as was allowed to the zamindars in Bengal, whose lands had been let to farm, as prescribed by the first Regulation of 1793.<sup>1</sup>

If the lands of any zamindars were not let on lease but were collected in the manner termed khas in Bengal, the proprietors had the option of entering into engagements on equitable terms.<sup>2</sup> If it was considered inexpedient by the Resident to conclude a Settlement with any such zamindars on account of their misconduct or any other cause, in which case their lands were to be let in farm or the revenues were ordered to be collected by an officer to be appointed on the

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1. Ibid., p.115.

2. Ibid., p.116.

part of the tahsildar.<sup>1</sup> To obviate the inconvenience which resulted from entering into engagements with the numerous pattidars or sharers, in which the property in some of the zamindaris was stated to be vested, it was advisable in such instances to require the sharers to appoint a manager with whom the settlement was to be concluded.<sup>2</sup> This was quite contrary to the ideas of Duncan who wanted to grant patta to each individual share holder.

In districts where there were no village zamindars, the Board suggested that a Permanent Settlement should be made with the head cultivators of the villages or the districts were to be divided into small farms of five to ten thousand rupees each and granted at fixed rent in perpetuity. The leases in both the cases were to be hereditary and transferable but the land comprised in them should not be divided nor considered as the property of the lease holders.<sup>3</sup> The tenure of this nature was to give to the landholders a permanent interest in the improvement of the land and at the same time to safeguard against the lease becoming an uneconomic unit by subdivision and also productive of some benefit to the country as the restoration of the former proprietors.<sup>4</sup>

In accordance to this principle the revenues were to be paid directly into the Public Treasury at Banaras and the

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1. Ibid., p.115.

2. Ibid., p.116.

3. Ibid., p.117.

4. Ibid.

collection of revenue was to be committed to the collector subject to the authority of the Board of Revenue.<sup>1</sup> It appeared to the Board that the powers of the Collector should be limited to the collection of the fixed revenue at the stipulated periods, to make the Settlement of land revenue and discharge such duties connected with the finance which were <sup>prescribed</sup> ~~presented~~ to him. He should exercise no judicial power. The Board were of opinion that the Collector and his officers were liable to be prosecuted for any exaction exceeding what they were authorized to demand under the engagement of the <sup>2</sup> ~~subuliadars~~. The Collector was to maintain the engagements of the land holders and farmers in his possession. He was not to suffer from prosecution except in cases of wilful <sup>3</sup> deviations from the regulations.

It was considered desirable to appoint officers to collect the public dues and the ~~smila~~, being in revenue capacity, were to be entrusted with this duty and were subjected to prosecution in the same manner as the Collector for every deviation from the regulations in the discharge of it.<sup>4</sup> The ~~smila~~ were designated as "Tahsildars" or Native collector".<sup>5</sup> The tahsildars were empowered to decide cases of all civil suits for money or personal property not exceeding one hundred rupees. The Board thought that the office of the ~~qanunada~~.

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1. Ibid., p.119.

2. Ibid., p.123.

3. Ibid.

4. Ibid., p.127.

5. Ibid.

should be converted into native Registrars with their present allowances and they should form the part of the Collector's establishment. Since the revenue was liable to frequent variation, it was considered absolutely necessary to appoint officers on the spot to maintain accounts of the produce and to furnish information occasionally to the persons appointed to collect the revenue. These officers were designated as patwaris and were required to maintain an accurate register of lands and inama assessed.<sup>1</sup> The qanungos were also to keep counterfoils of all such accounts and to take care of the revenue records. The patwaris or accountants were transferred to the service of the zamindars.

Duncan was directed to frame regulations on the basis of these instructions and forward them to the Board along with his comments.

Duncan prepared the necessary regulations on the basis of the above Government order and sent them for the Board's perusal. In compliance of the Board's instructions, he also suggested on October 13, 1794, that out of the surplus revenues of the province, which were not less than rupees one lakh and forty thousand, one lakh was to be left to the Raja and the balance utilized by the Government for erection of bridges, repair of high ways or other public works, tending<sup>2</sup>

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1. Ibid., p.134.

2. Ibid., p.135.



to be advantageous to the zamindari. This was suggested with a view to minimising the Raja's share of surplus, with his consent, to a lakh of rupees only, as it was apprehended that immense increase in his income would be prejudicial to the country and on the other hand the public would be immensely benefitted, if the growing surplus was utilized for the improvement of the country.<sup>1</sup> Duncan further suggested to the Government that there was no necessity to the alienation of the landed property by public sale of those who might occasionally fall in arrear on account of bad season or other causes. Such small tenures would not be able to bear its burdenlike ~~as~~ in Bengal, where the zamindars were much more extensive. In cases of arrears, collector should punish the defaulting parties by dispossessing them by holding their lands in khas management so long they did not pay their dues.<sup>2</sup> Duncan's suggestions were approved by the Board and were declared perpetual under Regulation II of 1795.<sup>3</sup>

It appears that one of the main objects of Duncan was to determine the relative positions of land lords and tenants, by issuing leases to the cultivators.

The Rules of June 25, 1788, were constantly maintained and enforced, but notwithstanding the tenacity of Duncan to his purpose, the success achieved was negligible.

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1. Ibid., Oct. 13, 1794, p.226.

2. Ibid., Oct. 20, 1794, p.227.

3. Bengal Regulations, I, p.209.

he got the land measured and rent determined by the rates of the year 1187 fasli (1779-80). The amils of the parganas were directed by him to investigate and redress the complaints of oppressions lodged by the cultivators against the village renters. He investigated the matters and gave redress to those who had been oppressed and unable to get redress from the amils.

When the completion of the Permanent Settlement was approaching, Duncan felt that after his departure and under his successor the protection afforded to the tenants would be less effective. So he determined to make his last effort to secure their rights and enforce the distribution of leases to the cultivators.

In March 1795, amils were deputed to issue nattas to the ryot.<sup>1</sup> In many places the ryot objected to receive the nattas tendered to them and from the variation in the rates in different parganas and districts and other local circumstances, disputes arose. In cases where both the proprietor and the cultivator of the lands were satisfied with the rates of assessment that had been mutually agreed upon between them, the rules contained in Section 3, Regulation IV of 1794, were accordingly passed. Under the above rules and the other provisions contained in other sections of these Regulations, where any dispute arose between a proprietor or a farmer of land and a ryot regarding the rates of the nattas, the latter,

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1. Ibid., March 18, 1795, pp. 105-106.

by application to the court of judicature, could always obtain a patta on the established rates of the district. Where no such disputes subsisted, the issue of patta was not necessary. From these considerations as well as the variations in the rates in the different districts and in the quality of land rendered it extremely difficult for the amirs to fix the rates and the terms of the patta to the satisfaction of both the parties and there was considerable suspicion of their often favouring one or the other of them.<sup>1</sup> So the Government considered it advisable to withdraw all the amirs.<sup>2</sup>

It is, however, pointed out that the Permanent Settlement did not introduce any uniform system of tenure. Preference was given to the village zamindars in perpetual Settlement but in the jagirdaris and talukdars the position was somewhat different. In the jagirdaris the whole arrangement was almost the same. In the talukdars the Settlement was made with the Talukdars who were left to assess the village zamindars either in proportion of their Sadar iana or with some additional charges of management or according to the extent and value of the produce as local custom or the good will of the parties directed. The village zamindars retained the right of disposing by sale of their own estate, subject to their regular payment of iana to the talukdars.

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1. Ibid., June 26, 1795, pp. 266-267.

2. Ibid., July 6, 1795, pp. 201.

In cases where there were no hereditary zamindars or taluqdars, the region was given on lease to the revenue farmers or amils.<sup>1</sup> The position of such farmers was changed; their tenure had been neither hereditary nor transferable, nor permanent, nor based on right but held from year to year at the mercy of the Raja. By the settlement proceedings and Section XXV of Regulation II of 1796, their tenure became permanent, hereditary, transferable and they became the chief proprietors of their estates.<sup>2</sup>

The Permanent Settlement made in Banaras differs to some extent from that of Bengal. In Bengal no survey was made, while in Banaras a rough survey was made. In Bengal the Settlement was always made with the landlords or zamindars who had hardly any proprietary right in the soil. There was a difference of opinion on this point. Philip Francis, Sir John Shore and Cornwallis regarded the zamindars as the proprietors of the soil, whereas Hastings and Grant considered them as revenue collectors. The latter view was in conformity with the Indian traditions. During ancient and mediaeval periods the cultivator had a proprietary right to the soil, the state was only entitled to a share of the produce. Thus under the old traditions, the zamindars could not have the proprietary rights of the soil and the rights given to them by the Regulations of 1793 disregarded the rights of the cultivators. Thus the

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1. Bengal Regulations, I, pp. 213-214.

2. Ibid., p. 225.

Banaras Settlement was an improvement which gave perpetual right to the actual proprietor's of the soil.

### DEFECTS IN SETTLEMENT

The Settlement of Banaras Province, effected by Duncan was on the whole conducted with wonderful wisdom, benevolence and ability; but it was marked by some grave defects, the inevitable result of which were to cause internal dissensions amongst the zamindars which impeded the realization of revenue and caused arrears to accrue.<sup>1</sup> The Permanent Settlement was only assessment of the revenue and not a regular settlement of the type as was done subsequently. The defects were:

- 1) Assessment of estates were not based upon measurement.
- 2) Boundaries between estates were not laid down.
- 3) The process of ascertaining and recording the amount of the shares of the different proprietors in joint estates was not undertaken.
- 4) The persons chosen as lumberdars were not adequate representatives of the proprietary body.
- 5) The mahals constituted were too large.

It was the intention of Duncan to effect a complete measurement of all the lands in the province. But on further consideration he found that the scheme of general

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1. Tenant's Rights and Auction Sales in Ghazipur and the Banaras Province, (B.R.C., vol. No. 95, p. 21).



measurement previous to settlement would be impracticable on account of length of time it would take and therefore he issued orders in December, 1789, to dispense with the proposed survey and substituted it by douls or estimates made by the pargana ganungos.<sup>1</sup> The zamindars petitioned frequently for a survey, and for the allotment of revenue of the whole pargana in accordance with area under cultivation in each estate, but their requests were never accepted. The records of Duncan's proceedings in pargana Kharid<sup>2</sup> in March, 1791 show clearly how in the absence of measurement impaired the equity and stability of his settlement.<sup>2</sup>

Excepting <sup>1</sup> in the case of a few estates, with regard to which special proceedings were held, boundaries were neither ascertained nor marked by Duncan. In the beginning, when the extent of waste land was very great, most estates were fringed by a margin of waste or wood, and, boundary disputes were less frequent; but as cultivated land increased, and the cultivated lands of bordering estates met, the disputes, affrays and law suits which inevitably ensued were common causes of non-payment of revenues.<sup>3</sup> In almost every estate held by a numerous proprietary body, a dispute existed between those who possessed more land than their actual share and they urged that their possession should be maintained, and those who either had themselves lost or their ancestors before them, a portion of the land, which by

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1. B.R.C., April 26, 1789, p.181.

2. Tenant's Rights and Auction Sales in Ghazipur and the Banaras Province, (B.R.C., vol. No.95, p.22).

3. Ibid., p.22.

hereditary rights they were entitled, claimed an allotment of land or profits, according to ancestral right. It is not possible from Duncan's proceedings to discover whether he meant that ancestral right or possession should be the standard of deciding such disputes. No provision for the adjustment of disputes of the kind was made; the amount of the shares of families <sup>or</sup> individuals in joint estates was neither ascertained nor recorded. The co-sharers were lumped together, and left to settle their disputes as best they could. Under such arrangement it is not amazing that internal dissensions were the rule in all the estates of the province, and that arrears of revenue inevitably resulted from these disputes.<sup>1</sup>

The fourth great defect of the Settlement proceedings was that the lumberdars were not suitable representatives of the proprietary body, for which Duncan was in no way responsible.<sup>2</sup>

In 1794 when the Raja agreed to the introduction of regular system and the Permanent Settlement, his refusal was evoked, but in the interval between 1790 and 1794, the leases had, with few exceptions, been granted. Consequently the lumberdar or sadar malguzars were persons chosen neither by vote of the proprietary body nor because they were most influential, honest and business like members of the community, but by a haphazard rule, which might, in some

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1. Ibid.

2. Ibid.

cases, give good landholders, but was in no way likely to secure that result. The fate of the whole proprietary body and of their descendants for all future time, in this manner, came to depend upon the success or failure of the administration of these representatives of the proprietary bodies.<sup>1</sup>

The fifth and more serious defect of the Permanent Settlement, which in many cases rendered successful administration wholly impossible, was the largeness of the mahals. Duncan was fully aware that the more numerous and smaller the mahals were, the more easily would their administration be conducted.<sup>2</sup>

This most important principle was, however, disregarded everywhere in the Settlement of the province but mostly in the District of Ghazipur. Some of the constituted mahals had an area of over twenty seven thousand acres, a Government revenue of Rs. 25,000/- and proprietary body of many thousand members of these mahals, of which the Government's revenue exceeded Rs. 5000/- per annum, hardly escaped auction sale or compulsory transfer to the Indian sub-collectors. Fortunately in some cases the sales were cancelled by decree of the Provincial courts of Banaras for gross irregularity. In others the Government brought back the estates from the auction purchasers either at a second auction for revenue or by private agreement and affected a new Settlement with the original proprietors. If this had not been done,

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1. Ibid., pp. 22-23.

2. Ibid., p. 23.

the Settlement of the District would have been hardly  
possible.<sup>1</sup>

Notwithstanding the defects which had been enumerated above, & in spite of the unfavourable influences to which it was subjected, taken as a whole, there can be no doubt that his settlement was an excellent one, and was conducive to the happiness of the country.

The Settlement officers of 1840, who minutely examined every village in the province and who had the advantage of a two-fold survey, viz., that of the parganas and the boundaries of villages by skilled European Surveyors and of fields and other internal divisions of villages by trained Indians, were all astonished at the general fairness and equity of the assessments which had been made.<sup>2</sup>

#### ADVANTAGES OF PERMANENT SETTLEMENT

Taken as whole, Duncan's settlement seems to have great merits. A large permanent amount of revenue improved the financial position of the Company and consequently strengthened its administrative machinery.

The land holders were in certain ways greatly benefited by its introduction. They were not longer to feel the severity of the Raja's method of administration and the demand of the state from them was definitely limited and

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1. Ibid., p.23.

2. Oldham, op.cit., p.175.

any increase in cultivation meant an increase of income to them without any increased demand from the Government.

The landlords were to pay to the Government Treasury the stipulated sums every year and were made in every respect free to collect legally or illegally as much as they liked from the peasantry so much that the noted sociologist Radha Kunal Mukherjee estimated that by the end of 19th century, "the peasants were paying 30 times more to the zamindars than their due for the collection of revenue"<sup>1</sup>.

#### DISADVANTAGES OF PERMANENT SETTLEMENT

The revenue demand of the Company was fixed permanently and it could not be enhanced so easily as was in other areas.

A good number of estates in Banaras were owned by a number of people having shares and at the Settlement two or three representatives were selected arbitrarily with whom the revenue was settled and leases were given to them. These leasees, who were chosen by the arbitrary system of selection without any regard to the wishes of those whom they were chosen to represent, were alone recorded as proprietors; where they managed the estate well, no harm resulted from this arrangement; but where the management was bad, the rights of the other sharers in the village property, who had no voice in its management, were ruthlessly sacrificed at auction sales carried out in order to satisfy the arrears of revenue due from the estate. Therefore, the real blot on

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1. R.K. Mukherjee, Land Problems in India, p.305.



Duncan's Settlement was that it failed to provide for the maintenance of the ownership of subordinate sharers after auction sale and for introducing a policy of settling with two or three arbitrarily chosen sharers.

Although Duncan opposed the idea of auction sales for the realization of revenue, it was at his suggestion that several methods prior to sale had been legally sanctioned by the Government.

The Permanent Settlement of land was, no doubt, a setback to the principle of the ruling power from collecting ever increasing land tax for themselves only. But considering the spread of political discontent and recurrent mass surprising in the subah of Bengal in the later half of the 18th century, the Government General, Lord Cornwallis, apparently found it wiser to abide by the old Indian saying that "in case of disaster the wise man leaves the half". Therefore, while sustaining to economic loss, the Company created another wall of defence between the foreign Government and the Indian people (besides the creation of Native states) by planting land lords among them. This particular usefulness of the system was openly declared in an official speech by Lord William Bentinck, the Governor General of India, during 1828-35, who became famous for social reforms. When Bentinck was Governor of Madras he had already recorded a minute on the 28th of April 1806, in which he wrote, "I am satisfied with the well creation of zamindars, in measure

incompatible with the true interest of the Government and the community at large"<sup>1</sup>. But as a Governor General, he wrote on the 8th of November, 1829, "If a scrutiny was wanting against expensive popular tumult of revolution, I should say that the permanent Settlement though a failure in many other respects and in most important essentials, has this great advantage at least of having created a vast body of rich landed proprietor deeply interested in the continuance of the British Dominion and having ample command over the mass of the people"<sup>2</sup>.

AUCTION SALE FOR REALIZATION OF  
THE GOVERNMENT LAND REVENUE

In an order issued by Duncan on June 14, 1789, for effecting a Settlement with village owners for their estates, no mention was made of auction-sale as a penalty for default; but a few days later, as earlier mentioned, the Government orders of June 17, 1789, had been issued asking Duncan to form a Government Settlement of the Province of Banaras, a plan similar to that prepared for the Province of Bengal, Behar and Orissa. Similarly in the month of July, 1789, orders were issued for ten years settlement of the pargana of Ghazipur, which were extended to the whole province and the 3rd article of the instructions run as follows: "A clause is to be entered in each counterpart

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1. Fifth Report, II, p.160.

2. A.B. Keith, Speeches and Documents on Indian Policy, vol. I, p.215.

of lease, that whatever balance may be incurred in the amount of the proprietor's engagements shall be recovered by the sequestration and sale of the proprietor's property, including the land of the zamindari, or share, whenever Government shall order the same to be put up to auction sale".<sup>1</sup>

Duncan's intention in insertion of the article can be gathered from the following extract of his letter of July 22, 1794. He says, "The collection of the revenue by the system of Talbana is liable to abuse, but admitting for further regulation and preferable to the expedient resorted to in Bengal and Bihar of selling the lands of defaulters by auction for recovery of balances, which would cause open resistance and rebellion, notwithstanding the clause to that effect in the cabocleuts of the present muttakhara, which was rather to be considered as useful to awe the general body of these renters into a regular discharge of their revenue than as calculated to be carried into general practice".<sup>2</sup>

During the six years, after the formation of the Settlement of 1789, the province was administered by Duncan and not a single sale of an estate took place and the revenue was always collected with punctuality and care.

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1. B.R.C., Oct. 21, 1789, p. 410.

2. Ibid., July 22, 1794, p. 179.

Propositions to sale the estates were occasionally made by his native subordinates, but were invariably refused. During his absence from the province in 1794, the acting Resident, <sup>e</sup>Traves, was severely censured by the Government of Lord Cornwallis for having on one occasion issued an advertisement for sale.

In 1794, it was proposed to extend to Banaras the Bengal Regulations including the sale law. Duncan objected to its introduction and suggested to the Government that there was no necessity for the alienation of the landed property by public sale of those who might occasionally fall in arrear on account of bad season or other causes. Such small tenure would not be able to bear its burden, as in Bengal, where the zamindars were to punish the defaulting parties by dispossessing them by holding their lands in <sup>1</sup>khas management so long they did not pay their dues.

On the suggestions of Duncan, the Government decided that the regulations for the sale of the lands of defaulting proprietors should not be made the general rule for enforcing payment of the revenue, as in Bengal, but that in lieu of it, the Resident should be directed to frame a regulation authorizing the Collector, with the sanction of the Board of Revenue, to dispossess defaulting land holders of the

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1. Ibid., Oct. 20, 1794, pp. 227-228.

management of their lands and to hold the lands until the proprietors paid or gave satisfactory security for discharging the balance incurred and the full future jama, as originally assessed at the Permanent Settlement. That a clause should be inserted in the regulations, reserving to the Government the right of letting the lands on lease either for a term or in perpetuity to any person whom they should think proper in the event of a dispossessed proprietor refusing to resume the management of his lands under conditions<sup>1</sup> proposed.

In accordance with this arrangement, Regulation VI of 1795 for the realization of land Revenue in the province of Banaras was framed. The methods legally sanctioned for the realization of the revenue under this regulation were<sup>2</sup> as follows:

- 1) The appointment of watchmen on crops.
- 2) The issue of notices of demand by footmen or horsemen at the cost of defaulter.
- 3) The arrest of defaulters and their commitment to the civil jail.
- 4) The temporary dispossession of the lumbardars or village lease holders and making of direct collections from their co-sharers and tenants.

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1. Ibid., Nov. 7, 1794, pp. 70-71.

2. Bengal Regulations, I, pp. 236-238.



If after the employment of these methods at the close of the year, an arrear still remained due, the Collector was required to furnish to the Board of Revenue under Section 17, Regulation VI of 1796, a detailed account of the causes of the failure. If the deficiency appeared to have proceeded from misappropriation of the funds arising from the produce, the Governor General was authorized to transfer the right of the defaulting land holder, either to one of his co-sharers or, if they committed to resume management of their land under the conditions that were offered to them, the right of the Government to let the lands of dispossessed proprietors to whomsoever they accrued proper was maintained. In extraordinary instances of embezzlement or misappropriation of the funds from which the revenue was to be payable by any land holder or in any other case in which it was deemed advisable, the Board of Revenue (in addition to such recourse as was authorized to be had on the surety) was to recommend to the Governor General in Council, the enforcing of that part of the engagements of the land holders, which rendered their property real and personal and liable for sale for arrears<sup>1</sup> of revenue.

In 1799 a Regulation VII of 1799 was passed modifying the Bengal sale, which was extended to Banaras by Regulation V of 1800; and although in section 26 of this Regulation the Governor General was invested with a general

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1. Ibid., pp. 240-241.

discretion to order a sale of land; but in the first section of the Regulation it was expressly stated that only those rules and provisions of Regulation VI of 1799 were extended to Banaras, which were consistent with the rules prescribed in Regulation VI of 1795 for collecting the land revenue in the province of Banaras.<sup>1</sup>

Clause 5, Section 17, Regulation VI of 1795, which restricted auction sales to extra-ordinary cases of emba-zzlement or other special cases, sanctioned by the Government on the special recommendation of the Board of Revenue, remained in force till it was repealed by Regulation VII<sup>2</sup> of 1830.

Generally the sale of land took place at Calcutta. The proprietor was either to furnish the required security to the Board of Revenue previous to the day of sale or to the Collector of the district ten days prior to the date fixed for the sale so that there might be sufficient time for him to notify the acceptance of the security to the Board of Revenue. If the sale of the land was ordered to be made by the Collector of the district, he was empowered to suspend it, if the required security was furnished to him before the date of sale.<sup>3</sup>

In all cases of public sales, if the lands to be disposed of consisted of distinct mahala and separately

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1. Ibid., pp. 420-421.

2. Ibid., p. 452.

3. Ibid., p. 229.

assessed for public revenue, were sold in distinct lots. If they were not separately assessed and were of considerable extent, they were to be divided into distinct lots before they were sold.

Previous to any sale taking place under Section 32 of this regulation, a wide publicity was to be made in Persian and Hindustani Language and Nagri character specifying the jama at which the lands in dispute in distinct lots were to be disposed of and the place, date and time and the proportion of the revenue payable on account of the year in which the sale of the lands had taken place, for which the purchaser was responsible and if the exact proportion was not ascertained, the rules by which the amount of it was to be adjusted.<sup>1</sup>

A deposit of 5% on the amount of the purchase money was to be made at the time of the sale. If the purchaser failed to deposit the purchase money within the stipulated period, he was to forfeit the deposit to the Government and the lands were to be resold at his expense.<sup>2</sup>

After the establishment of the Collectorate of Banaras in 1795, the public revenue realized by Duncan with so much care, fell into arrears, Every year the balance increased and for realization of these balances the sole process employed was auction sale. Much of the time of the collectors was

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1. Ibid., p. 229.

spent in conducting sale, or in other business connected with ~~rent~~ or arising from auction sale. On October 26, 1811 Mr. W.O. Salmon, Collector of Banaras, wrote, "He had for many successive days been employed in the conduct of sales and after the establishment of the Ghazipur Collectorate in 1817 A.D. in a single month the collector proposed for sale more than a thousand estates"<sup>1</sup>.

It is sufficiently obvious that the universal and indiscriminate employment of the process of auction sales, which could only be employed lawfully in clearly proved and specially reported cases of embezzlement and misappropriation of funds of an estate, was wholly illegal; but it may, perhaps be that as the assessments of Duncan were not unduly high and had been realized with ease for six years, that, in many cases, though the special report of embezzlement required by law was not made; yet the lumbardars after receiving the rents and the payment of their co-sharers, willfully neglected to discharge the revenue, so that the auction-sale, though illegal by the letter of the law, not contrary to its spirit; such, however, is not the case. The revenue records afford ample proof that of all the causes of default, wilful embezzlement was very rare, and in ninety-nine cases out of a hundred, the auction sales were contrary not only to the letter of the law, but to the spirit of the law, not only illegal but cruel and unjust.<sup>2</sup>

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1. Tenant's Rights and Auction Sales in Ghazipur and the Province of Banaras, (B.R.C., vol. No. 95, p. 21).

2. Ibid.

Even Lord Minto attempted to restrict it by a regulation of 1807. In fact the position was intrinsically difficult and no more regulation could alter it. By Lord Minto's time the difficulties were beginning to grow less but this was due to the greater good will of the zamindars than to the revised regulations.

In February, 1809, the province of Banaras was removed from the control of the Calcutta Board and placed under the control of the Board of Commissioners at Farrukhabad. This change appeared to give some prospect of relief to the miserable land holders of the province of Banaras, as the Calcutta Board, from first to last, preserved in applying to the Banaras Revenue administration not the laws of 1795, but the wholly different laws of 1783 and 1796 enacted for the provinces of Bengal, Bihar and Orissa, by which auction sale was the sole process for the realization of revenues.<sup>1</sup>

A rule was soon framed by the Farrukhabad Board that auction sale should not take place for merely trifling balances, unless the arrear exceeded 20 per cent of the land revenue of the year. The provisions of the regulations of 1795 prohibiting sale by Revenue Officials and restricting them to special cases, were however, still systematically disregarded.<sup>2</sup>

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1. Ibid., p. 29.

2. Ibid.



The revenue administration was <sup>reorganized</sup> recognized as a result of which only twelve tahsildars were left in the entire province of Banaras, The majority of the parganas paid<sup>1</sup> their revenues direct into the Government treasury through a special officer appointed for the purpose.

In 1817 the district of Ghazipur was separated from the Collectorate of Banaras and Robert Barlow was appointed collector, an office which he held till 1827. From this time onward, the sale system still continued in full force, and although advertisements threatening sale were the sole coercive process used upto about 1827, yet sales were comparatively few. The reason probably was that most of the large estates owned by a numerous proprietary body, had been sold in the course of the preceding twenty years.<sup>1</sup>

#### R\_E\_V\_E\_N\_U\_E C\_O\_U\_R\_T\_S

The most material defects in the administration of justice was relating to the decision of the revenue cases for which there was no proper court. I have already stated that the Raja's Mulky Adalat was insufficient for the purpose. The officers and judges of the Adalat were mostly Muslims, unacquainted with the revenue affairs. The decisions given by them were not free from partiality. In order to decide the disputes in revenue matters that arose between the tenants and the zamindars or between latter and the

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1. Ibid.

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1. Ibid.

officials in charge of the collection of revenue, a court of justice, having revenue jurisdiction, was established from the beginning of the settlement of 1196 fasli (1788-89). This court was composed of two Indian Judges, one nominated by the Resident and the other by the Raja.<sup>1</sup> This court was to sit in the Resident's office and was under his immediate control. The decision of this court was appealable to the Resident.<sup>2</sup> The Resident was controlled in revenue matters by the Board of Revenue at Fort William.

Under Regulation V of 1795, the collection of public revenues whether arising from the customs or lands or other sources was committed to the collector, who was designated in his capacity of the Collector of customs "as the collector of customs in the province of Banaras" and in his capacity of the Collector of the land and other revenues exclusive of the customs, he was designated as "the Collector of the revenues in the province of Banaras".<sup>3</sup> This arrangement continued until 1818, when Ghazipur, comprising also most of Ballia and part of Shahabad, was separated and placed under a distinct collector. A year

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1. B.R.C., Sept. 12, 1788, p.161.

2. Ibid.

3. Bengal Regulation, I, pp.229-230.

later Jaunpur also became an independent Collectorship. But Mirzapur continued to be administered from Banaras until it became separate collectorship in 1832. The superintendence of the Settlement and collection of the revenue and control over the Collector was vested in the Board of Revenue, consisting of President and four members, each of whom was under the restraint of an oath prescribed by the act. Besides its ordinary functions, the Board was originally constituted a court of Review and Appeal from the decisions of the collectors acting in the capacity of the judges of the adalat, in all cases relating to public revenue which appertained to the mahal adalat in contradistinction to all other suits which came under the jurisdiction of the dewani adalat.<sup>1</sup>

The Board of Revenue was vested with the general control over the Collectors of the land revenues, with authority to suspend their proceedings and to suspend them from their offices, if they were found negligent in performance of their duties. Their own proceedings were, in like manner, subject to the superintendence of the government and the orders of the Government were circulated through the Board of Revenue

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1. Fifth Report, I, p.31.

to the collectors.<sup>1</sup> The Board of Revenue constituted a court of wards, with powers to control the conduct and inspect the accounts of those who managed the estates of persons disqualified by minority, sex or natural <sup>i</sup> infirmity for the administration of their own affairs. It transmitted periodical reports to the Government on the state of revenues and their proceedings in detail to the Court of Directors through the Government. It was also authorised to grant advances of taccavi to the proprietors or farmers of land.<sup>2</sup>

The Collector was to pay due attention to all reference and requisitions made by the Board of Revenue which were required to dispose of public business.<sup>3</sup>

#### REGULATIONS FOR THE GUIDANCE OF THE BOARD OF REVENUE

The duties of the Board of Revenue were to supervise that the officers working under them should perform their duties with regularity, integrity and assiduity.

They were invested with the powers of the investigation and punishment for offences committed by any officer working under them. They were to summon the officers to

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1. Fifth Report, I, p.31.

2. Ibid; Bengal Regulations, I, Appendix, p.226.

3. Ibid., p.227.



the Presidency to explain and justify their conduct. They were to impose a fine on them not exceeding one month's salary and to suspend them from their offices. If the complaint was of a serious nature, such as, for corruption, extortion, oppression, etc., a thorough enquiry was made. If the complaint was found groundless, they were authorized to punish the complainant by fine and imprisonment, according to her or his sex, rank and circumstances, to the degree of loss or injury to the party complained against & and also compelled the latter to imburse all the expenses incurred by such complaint.

In case of a complaint of the renters against revenue collections under authority of the officers of the revenue department, they were to refer the case to the collector for making an enquiry and report.

They were authorized to make an enquiry on the spot in case of complaint made by the Collector, provided if the complaint was of an important nature.

They were to receive the hauil or monthly accounts of the demand, receipt and balances from the collectors on or before the last day of each month and to check them and pass orders thereon. They were to transmit the annual accounts, settlement receipts and balances of the district to the Supreme Council by the 15th of July of every year. They were to maintain separate accounts for all expenses incurred in suppressing rebellious zamindars and others

The President of the Board was to exercise his own authority during the interval of the meeting of the Board. He was to issue necessary subsidiary orders for carrying into execution and existing resolutions of the Board, or for personal attendance, or for preparing materials for the Board's considerations or for any purpose which the Board judged it advisable to commit to his separate charge as their executive member.

All officers of the Board of Revenue, Europeans or Indians, were required to obey the orders of the President in all matters.

The President of the Board was empowered to refer the complaints and make application and requisitions to the collectors and other subordinate officers for papers and accounts required for the use of the Board of Revenue.

All powers declared to be vested in the President were also meant to be vested in the Acting President. In the absence of the President, the senior member was to<sup>1</sup> preside and discharge all the duties of the President.

Two more reforms were introduced in the Board of Revenue in May, 1788. Its main object was to eliminate Indian control from the administration of the khalisa and replace it by the covenanted servants of the Company. While the first extended the effective supervision of the preparer

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1. B.R.C., June 27, 1788, pp.163-170.

of reports to the subordinate officers of revenue and brought the records of the Settlement and registry under his immediate control, and the second affected the department of accounts. In exercise of his original function, the Preparer of Reports received and considered all petitions of complaint either presented to him by the natives or referred to him by the Government or the President of the Board for enquiry and report. On May 23, 1788, the following regulations were framed for the office of the Preparer of Reports.<sup>1</sup>

He was not to receive any present or gratuity or lucrative advantages from the zamindars, talucdars and other land holders.

He was required to maintain a regular diary of his proceedings in English and Persian.

He was to receive and consider all petitions presented to him by the natives or referred to him by the Government and Board of Revenue. If the petition related to claims or disputes lying within the competence of the Court of Justice, his duty was to refer to them to proper authorities unless otherwise directed by the Government.

Where a petition contained matter of complaint against any European or native officer of the Revenue Department,

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1. Ibid., May 23, 1788, pp. 219-233.

he was to report to the Board of Revenue or Governor General in Council, for orders. In such cases he was required to summon any native whose attendance was necessary either as a party in the suit or as a witness. He was to requisition documents which were required in connection with the suit. He was to issue written interrogations to the judges of the adalat or collectors to examine on oath or otherwise any witness or person cited in the interrogatories and send him the deposition so taken for his consideration.

He was not authorized to admit or receive any complaint from any other person than the plaintiff or a reply from the defendant except such persons who produced a yakalatnama or written authority by the party concerned.

All the summons and orders were to be issued under his signature and seal.

Whenever the attendance of any person as a party or witness in a suit was required, he was to address the collector to order the person concerned to attend summon, in whose jurisdiction such person had resided. He was to defray the travelling allowances of the person summoned either as a party in a suit or witness. If the person refused to give evidence or attend the court, he was to impose such fine on him as the Governor General or Board of Revenue deemed proper.

He was to issue notification regarding the appearance of the defendant in the Court, if the same had not attended

the court on the specified date, signifying that if the party did not appear within the limited time (not less than ten days) from the date of issue of the notification, the cause was to be investigated and reported in the absence of any answer or appearance of such party. This notification was displayed at prominent places in the khalisa.

He was to prepare and register all zamindari, taluqadari, chaudhuri and other sanads or grants, the annual amalnamah or deeds of Settlement according to the established form and precedent. In the execution of this branch of duty he was subject to the orders of the Governor General in Council.

He was to conduct the sales of zamindari, chaudhuri and other revenue lands. But once he received the orders of the Governor General in Council or the Board of Revenue he was not to suspend the sale of any land on any plea or objection preferred by the proprietor.

The office of the Preparer of Reports was an effective check and control over the subordinate officers of revenue and specialized in the formation and registry of revenue records.

#### DUTIES OF THE COLLECTOR

The duties of the Collector were limited to the collection of the fixed revenues at the stipulated period and to



make settlement of the lands, the revenue of which could not be fixed and to discharge such duties connected with the finance as entrusted to him. He had no judicial<sup>1</sup> powers.

Under section 7, Regulation V of 1796, he was to assess the tax imposed on spirituous and fermented liquors and intoxicating drugs, to superintend the division of landed property paying revenue to the Government by sale or decrees of the judicial courts, to apportion the public revenue on land and order to be sold for the discharge of the arrears of revenue and to procure land for the native invalid soldiers.<sup>2</sup> He<sup>was</sup> also required to dispose of the amount of his collections as directed by the Accountant General and to keep and transmit his periodical accounts to the Board of Revenue in the form prescribed for the purpose.

Under Regulation V of 1795 he was required to maintain a diary of his official transactions either in English, Persian or Hindustani language. The serishtadar (who was henceforth denominated as darwan) and all Indians officials under the collector were to act under his orders and to obey the rules prescribed by him. They were not to perform any business of authority without his prior sanction.

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1. Ibid., Sept. 19, 1796, p.119.

2. Bengal Regulations, I, p.231.

All transactions from the treasury of the collector were to be made under a warrant signed by the collector, sealed with his official seal and countersigned by the dewan, who was to write the sum in his own handwriting for which the warrent was to be granted. The Cash keepers were prohibited from making any payment without such written authority.

The appointment and dismissal of all officers on the establishment of the collectorate, excepting the keepers of records and khazanchi, were vested in the collector but he was to transmit all such cases to the Board of Revenue for their information.

In the event of death or removal of the collector, or in his absence from his station, the senior assistant on the spot was to perform the duties of the collector and the dewan and other public officers of the collectorate were to obey his orders.

No collector, assistant or dewan to a collector nor any Indian officer in the collectorate establishment was allowed to hold any farm or connect himself in the collection or payment of the revenue of any land in his private capacity by standing as a surety. They were also prohibited to purchase any land which the collector was to dispose of by <sup>1</sup> auction sale.

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1. Bengal Regulations, I, Appendix, p.225.

No collector, assistant or dewan were allowed to carry on commercial transactions directly or indirectly.<sup>1</sup>

The dewan of the collector was prohibited from lending money to any proprietor, farmer or ryot. Loans given against this rule were not recoverable in any court of judicature.<sup>2</sup>

The collector was responsible for proper maintenance of accounts and records.<sup>3</sup> He was not allowed to employ sepoys in the collection of revenue nor authorized to advance any money on account of <sup>taccavi</sup> ~~tax~~ without the prior sanction of the Board of Revenue.<sup>4</sup> He was to issue monthly receipt for all payments of revenue in the treasury under the joint signature of the Raja and himself, specifying the date or dates when the money was received and species of rupees in which each payment was made. The Keepers of Records were to maintain a register of such receipts regularly numbered. After having registered the receipts, they were to attest on <sup>the</sup> one face of them, the date on which they were registered. A copy of this register was to be transmitted monthly to the Board of Revenue or as often as the Board required it for reference purposes. A similar register of receipts was to be maintained by all tahsildars, asauwals and other Indian officials entrusted with the

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1. Ibid., p.226.

2. Ibid.

3. Ibid.

duties of the collection of revenue. They were also to transmit a monthly copy of it to the collector or as often<sup>1</sup> as required.

The monthly or other receipts for salaries or allowances, which were paid by the collector, were deposited in the record room and a register of such receipts and payments was maintained by the Keepers of Records and transmitted to the Board of Revenue annually.<sup>2</sup>

### Tahsildar

The Benaras Settlement differed from Bengal, Bihar and Orissa. Under the former the office of ganungas was retained and provision for their support in the full exercise of their function was made a condition in the engagement entered into between the Government and the land holders. In addition, the collection of revenue continued to be vested in the tahsildar who performed the duties of the Mughal amil and the Company's farmer. In the former capacity they collected from the land holder the stipulated assessment of the Government, and exercised certain limited measures of police authority in the maintenance of law and order. In the latter capacity they were responsible for the payment of entire assessment of their division. As compensation for the troubles and reimbursement of their

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1. Ibid.

2. Ibid.

expenses, the tahsildars were allowed a salary at the rate of 11½ per cent on the net amount of their collection.<sup>1</sup> This also included their expenses incurred in discharge of police administration. The Police authority of the tahsildars was extended throughout their jurisdictions. The Police jurisdictions are numbered and named after the places at which the tahsildars and their staff were stationed. The magistrates were not to change the names or numbers of the jurisdictions, nor to alter the limits of them without the sanction of the Governor General in Council.<sup>2</sup>

When a magistrate found any tahsildar disqualified for the station either from his misconduct, incapability or any other cause, he was to forward the report along with his recommendations to the Governor General in Council, who after due consideration, passed necessary orders regarding his removal or continuance in the office.<sup>3</sup>

Charges to be recovered by Tahsildar:

Under section 7, Regulation XVII, of 1795, if any person, having a charge to prefer against another for murder, robbery, a house breaking, theft or other crime or any misdemeanour and who did not find convenient to lodge it to the magistrate immediately, was at liberty to lodge it in writing to the tahsildar of the jurisdiction in which the crime was

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1. Bengal Regulations, I, p. 659.

2. Ibid., Appendix I, p. 236.

3. Ibid., p. 237.



committed or if the accused had shifted out of that jurisdiction, to the tahsildars of the jurisdiction in which he was to be found. The tahsildar of <sup>such</sup> sub-jurisdiction was to apprehend the accused party. If the accused was charged for murder, robbery, house breaking, theft or other heinous crime, the tahsildar was to send the accused to the Magistrate under safe custody within twenty four hours of his arrest. If the charge was for any crime or misdemeanor for which the Magistrate was authorised to pass sentence, the tahsildar was to take sufficient security from the accused to appear on specific date before the magistrate and then to release him. If the accused was unable to furnish sufficient security, the tahsildar was required to send him to the Magistrate under safe custody within twenty four hours of his arrest. When the accused appeared before the magistrate, the proceedings were started against him in the same manner as if he had been apprehended under the orders of the Magistrate.<sup>1</sup>

Under section 8, Regulation XVII of 1795, the tahsildars were authorized to apprehend, without a written charge or issuing a qasab or writ, person found in the act of committing a breach of peace or against whom general hue and cry was raised or who was detected with stolen goods in his possession. In other cases, the tahsildars were prohibited apprehending any person without a charge preferred against him in writing under the seal and signature of

The tahsildars, in all cases whatsoever were to take security from the prosecutor and his witnesses to appear before the magistrate on a specific date when the accused party was bound to appear, if the security was taken from him for that purpose.

The tahsildars were to apprehend the notorious robbers harbouring in their jurisdictions and send them under safe custody to the Magistrate. The Magistrate was to examine them on oath. If they were disorderly or ill disposed people, they were employed in the repairing of public roads or any other public work, until<sup>1</sup> they furnished security for good behaviour, in case of their being discharged. If any person so apprehended, escaped from the custody of the Magistrate, he was reapprehended by the tahsildars, imprisoned and engaged in hard labour for six months.

Under Section 12, Regulation XVII of 1795, in cases of complaints of petty assaults and in other cases described in Section 8, Regulation IX of 1793, in which Magistrates were empowered to pass sentences, the tahsildars were permitted to discharge the defendant, provided the complainant furnished a Razinsah agreeing to the complaint withdrawn. The Razinsah was attested by two creditable witnesses and transmitted to the Magistrate by the daroga along with his monthly report. If the parties did not furnish the Razinsah,<sup>2</sup> the case was brought before the Magistrate.

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1. Ibid.

2. Ibid., p.238.

Under Section 13, Regulation XVII of 1795, all goraites (watchmen, chowkidars, naabans, etc.) were under the tahsildars, in his capacity as Chief Local Officer of Police. He was to maintain a register of their names and upon death or removal of any of them, the land holders or others, who were entitled to fill up such vacancies, were to appoint chowkidars and forward their names to the tahsil-<sup>1</sup>dar for registration.

Under Section 17, Regulation XVII of 1795, the tahsildars were to receive from the Government a reward of ten rupees for every robber or thief who was apprehended by them. They were, likewise, entitled to a commission of ten per cent on the value of all property stolen or plundered which they recovered; provided that the thief or robber was apprehended and convicted.

Under Section 18, Regulation XVII of 1795, tahsildars were to proceed in person or depute his one or more officers to the towns, gunjes, bazars and hats, on market days to prevent disputes or disturbances arising between vendors and purchasers. They were also to take similar precautions on the occasion of malas <sup>+airs</sup> (fairs) or assemblage of people for religious or other purposes.<sup>2</sup>

If the tahsildar or any officer under him was found guilty of corruption, extortion or oppression, the party injured was permitted to prosecute him in the court of circuit or amara adalat.<sup>3</sup>

Under Section 2, Regulation XIV of 1807, the duties of the police were taken up from the tahsildars, because it was not considered essential to afford to the land holders and people in general the means of the immediate access on all occasions to the court of justice and collector without the intervention of the native officers.<sup>1</sup> A beneficial effect was experienced by separating the duties of the police officers from those of the receivers of the revenues, then vested in the tahsildars and their subordinates were found guilty of exactions of money or other abuses of authority. It was apprehended that the extensive powers and authority vested in the tahsildars were often utilized for the purpose of undue extortion and abuse.<sup>2</sup> The salary of the tahsildar was fixed at rupees one hundred per month and it was paid by the zamindars. In 1802 the collector proposed to the Government that the salary should be increased from Rs.100/- to Rs.150/-<sup>3</sup> per mensem. The proposal was accepted by the Government.

The tahsil was divided into a number of parganas. In each pargana there were two amunges. Later their numbers<sup>4</sup> were increased on the recommendation of the collector.

On August 23, 1805, orders were issued that the tahsildar should execute the duties of their offices themselves. They were allowed to leave their parganas only after obtaining

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1. B.R.C., Letters Received, (1796-1808), pp.52-53; see also Bengal Regulations, I, pp.652-653.
  2. Ibid., p.54.
  3. Ghazipur Correspondence, Oct. 23, 1802, vol. I, p.8.
  4. Banaras Correspondence, Letter Received, May 6, 1803, pp. 122-123.

prior approval of the collector.<sup>1</sup>

Ganungos:

Subordinate to the tahsildars were the ganungos. The office of ganungo was one of the most important offices of the revenue department. It was a link between the Government and the cultivators.

On October 26, 1787, ganungos were made immediate servants of the Government and furnished with sufficient funds for their maintenance.<sup>2</sup> Prior to this, they were paid by the amils, who collected certain abwabs from the ryot to imburse themselves. This mode of payment kept the ganungos in a state of entire dependence on the amils, over whom they had a constitutional check. Thus they had been associates and agencies for the amil's exploitations.<sup>3</sup> On October 3, 1788, the Government directed Duncan to make the payment of the salary of the ganungos in cash from the treasury and the posts of ganungos were not to be made hereditary.<sup>4</sup> Only qualified persons were to be appointed to the posts.<sup>4</sup> The ganungo's estimates were the foundation upon which Duncan's Settlement proceedings rested.<sup>5</sup>

They were to issue the leases of both the classes, i.e. for villages and for fields. They were to transit to

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1. Banaras Correspondence, Aug. 23, 1805, p. 180.



the Resident on account of the Settlement of each parisna and the amount of the defussil revenue as finally fixed by the issue of village leases.<sup>1</sup> In July, 1794, they formed part of the collector's establishment.<sup>2</sup> Under Section 5, Regulation IV of 1808, they were to receive such salary as was fixed by the Government for their support.

Two persons were to be appointed in each parisna to execute the duties of the qanungos. They were to be selected by the collector and recommended to the Board of Revenue for appointment. Their offices were not to be made hereditary. It was somewhat binding on the collector to select such persons from the families of the qanungos who were found suitable for the post on account of their character, intelligence and qualifications. The qanungos, appointed under the Regulation, were to receive salaries, which precluded them from all claims for further pecuniary allowances under the denomination of hankar, etc. The above claims were not to preclude the qanungos from claiming rent free lands or pension held by them under grants made to them in lieu of some returns unconnected with the office of the qanungos.<sup>3</sup>

In 1808 the duties of the qanungos were redefined which were as follows:

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1. Ibid., June 14, 1789, p.324.
  2. Ibid., Sept. 19, 1794, p.127.
  3. Banaras Correspondence, May 6, 1808, pp.125-127.

1) To keep a counterpart imra wasil baki or accounts of the collections of the tahsildars from estates, the Settlement of which had been concluded and of the collections made by the tahsildars or sazawala from lands held khas or under attachment.

2) To keep an account of all lands held under rent-free tenures, whether the grants be hereditary or otherwise; and to report to collectors all escheats of such lands to the Government.

3) To keep register of all transfers of estates by sale (public or private), mortgage lease, or otherwise, and to attest such transfer at the request of the parties without fee or gratuity, with their official signature.

4) To maintain a list of patwaris in each village and a register of the pattas granted by the land holders to their under tenants.

5) To compile information regarding local boundaries of parganas and estates. The number and names of villages, articles of produce, rate of rents, rules and customs established in each pargana and to furnish, at the requisition of the court of justice and collector, all local information with their cognizance.

6) To prepare and keep the information and accounts required <sup>in</sup> on the regulation in such a manner or form as prescribed by the Board of Revenue and Board of Commissioners

7) To report to the collector the death of the malguzar and the name of his heirs, and to keep a register of all succession to lands.

8) To obtain from standing sureties for farmers or zamindars within local limits of their official duties.

9) In case of evasion of the preceding regulation, he was to be penalized as prescribed in the regulation.

10) The collector was empowered to report to the Government through the Board of Revenue, for the increase of the number of the qanungos in any pargana on assigning sufficient reasons. On the death, resignation or removal of a qanungo, the records of the office were to be made over to his successor and the Magistrate of the zilla was informed, on the application of the Collector, to interpose his authority in all cases in which it was deemed necessary to enforce the surrender of such records. The Collector was empowered to increase or decrease the number of qanungos in a pargana<sup>1</sup> after obtaining the prior approval of the Board of Revenue.

#### PATWARIs

The village patwaris<sup>2</sup> were appointed under Section 9, Regulation XXVII of 1795. They were deemed to be the servant

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1. Bengal Regulations, I, pp. 662-663; Banaras Correspondence, May 6, 1806, pp. 126-127.

2. Ibid., p. 416.

of the zamindars, for the purpose (besides the keeping the village accounts) of furnishing information respecting the lands which were, at any time, to be ordered for sale by the collector or by the court of justice. The records maintained by the patwaris were examined by the qanungos. A few sets taken at random by the qanungos from the midst of the papers of each pargana and compared with the papers of the previous years and with the settlement records. If any error was detected, and was pointed out to the pargana officers, and if the error was of a serious nature, the latter was summoned and suitably punished.

All proprietors or farmers of land were required to engage patwaris to maintain the accounts of the ryot. They were required to furnish a list of patwaris to the adalat, Collectorate and the pargana or mahal courts in respect of their estates or farms together with the names of the villages of which they were required to maintain the accounts.

The patwaris were to maintain all documents relating to the land produce, collections and charges of the villages and they were to furnish every information regarding them to the court of justice on demand to decide the suits pending before the court. If they were asked to produce any account before the court of justice for the purpose of deciding any matter pending before them and the account was found to have been fabricated or altered or not to be true account, the

judge of the court was empowered to commit him to be tried for perjury before the court of Circuit. They were also enjoined to produce the accounts for the inspection of the Collector or any other officer deputed by him.

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1. Bengal Regulations, I, Appendix, pp. 259-261.



## CHAPTER - V

### JUDICIARY, POLICE AND JAILS

During the Mughal period the empire was divided into a number of subahs. Each subah was again divided into a number of sarkars and the sarkars into parganas.<sup>1</sup> At the head of each province a subahdar was placed, who was entrusted with the task of governing the subah but he was subject to the authority of the emperor. He was officially called the nazim or administrator of the Province. His essential duties were to maintain order, to help the smooth and successful collection of revenues and execute the royal decrees and regulations sent to him. But it does not mean that he had authority in every sphere of administration in his subah. Associated with the subahdar was a dewan, who was appointed directly by the Imperial Government and was responsible to it in respect of revenue administration and civil justice. The dewan consequently was not, theoretically or practically, subordinate to the subahdar but was his colleague in the administration of the subah and one was a check upon the other.<sup>2</sup>

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1. Sayed Ghulam Husain Khan, Siyar-ul-Mutakherin, vol. 3, p. 166 (translated by Hazi Mustafa). The frame-work was given by the division of the empire into the provinces (subah), of the provinces into districts (sarkars) and the districts into sub-divisions (mahals), which were virtually but not invariably coincided with the traditional local areas known as parganas.
  2. J.N. Sarkar, Mughal Administration, pp. 49, 53 and Chap. IV; also see W.H. Moreland, The Agrarian System of Moslem India, p. 109.

At the head of a sarkar, there was a fauldar who acted as the representative of the subahdar of the province as also of the Emperor in that area.<sup>1</sup> As for the parganas which were lower units of administration, they were in the charge of officers who were differently named at different times. During the last phase of the Mughal rule, the office<sup>2</sup> in charge of the pargana might have been known as zamindar. His duties were concerned as much with the running of general administration as with the collection of revenues.

The size of the units referred to above did not remain constant. It varied from time to time according to the desire of the rulers and the nature of responsibilities which were devolved upon the local officers. It may be made clear that during the reign of Akbar in 1582, that subah of Allahabad was divided into ten sarkars containing one hundred and seventy seven parganas and during the reign of Muhammad Shah in 1747, it was divided into twelve sarkars containing two hundred and ninety-two parganas. The sarkars of Banaras, Jaunpur, Ghazipur and Chunar were included in it.

Little is known about the administrative history of Banaras after Aurangzeb's reign, but we learn from Khair-ud-Din, the author of Balwantranah that in the early years of Muhammad Shah's reign a noble, Murtaza Khan, was given in

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1. Sitar, vol. 3, p. 175.

2. F.D. Ascoli, Early Revenue History of Bengal and Fifth Report, p. 25.

jagir the four sarkars of Banaras, Ghazipur, Jaunpur and Chunar, which now correspond to the modern districts of Banaras, Jaunpur, Ghazipur, Azamgarh and Ballia and the eastern portion of Mirzapur. Murtaza Khan entrusted the management of the above districts to Mir Rustam Ali who could not control the affairs of the above sarkars. So in 1728, Murtaza Khan leased these districts to Saadat Khan on an annual revenue of seven lakh of rupees but Saadat Khan allowed Mir Rustam Ali to remain in charge of the districts on condition of payment of eight lakh of rupees to him annually instead of five lakh of rupees that he used to pay to Murtaza Khan.<sup>1</sup> According to Rai Chhatraman, the author of Chahar-i-Gulshan, there were 9 mahals in the sarkar of Banaras, 43 in Jaunpur, 17 in Ghazipur and 15<sup>2</sup> in Chunar respectively in 1759.

The sovereignty of these sarkars was ceded to the East India Company by Nawab Asaf-ud-Daulah on the 21st of May, 1775. Previous to their cession to the Company and until the year 1781, the administration of justice in the whole province was committed to the amils or collectors of the revenue, subject to the control of the Raja, who <sup>were</sup> ~~was~~ guided mainly by "unwritten customs". In the city of Banaras certain judicial powers in civil suits were lodged in the Superintendent of an office called the amanat daftar and

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1. Khir-ud-Din, Balwantrah, p.3, 9.
  2. Rai Chhatraman, Chahar-i-Gulshan, p.40.

the police was entrusted to a kotwal in the city of Banaras and in the town of Ghazipur, Jaunpur and Mirzapur. But this system had become obsolete. The province had long been deficient in the regulations which were necessary for the preservation of peace, order and protection of the property and persons of the people. Hastings had observed, "Since this period the appearance of public justice was gradually <sup>effaced</sup> effected, until at last without any system of police, the court of judicature or any awe of the sovereign power, the inhabitants of Benares were guilty of enormities and crimes which reflected the greatest disgrace to the Government to which they were subject. The relations and dependents of the Raja, or the merchants whose credit was useful in the payment of revenue, might violate the rights of their fellow citizens with impunity, and sacred character of a Brahmin, or the high rank of the offender were considerations which stamped a pardon on the more flagrant crimes".<sup>1</sup> Markham, the Resident at Banaras, while writing to his father about the law and order under Chait Singh, observed, "Murder, robbery and rapine passed without any enquiry. Neither the Governor General's positive orders, nor my most earnest entreaties, had any effect in prosecuting justice to individuals. His own debaucheries were notorious, even to crimes which we think degrading to human nature".<sup>2</sup>

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1. Sec. Sel. Com., Nov. 12, 1781, vol. III, p. 815.

2. C.C. Davies, Warren Hastings and Oudh, p. 146.



Such was the state in which Hastings found the civil Government in the town of Banaras when he arrived there in 1781. People from various walks of life represented to him for necessary reformation to curb the defects of the Civil Government which were productive of the evils, and propagated "in all quarters of India to the discredit of English Government and to the hindrance and discouragement of those who under more favourable circumstances, might wish to repair<sup>1</sup> with their wealth to Benares".

For these reasons, on the 19th of October, 1781, a chief Magistrate was appointed for the preservation of peace and the administration of justice in the city of Banaras; and to enable him to execute the duties assigned to him, the three departments of kotwali or Police, fauidari adalat (criminal court) and Dewani Adalat (Civil Court) were established under his superintendence, subject to the immediate<sup>2</sup> control of the Governor General in Council.

Warren Hastings first intended to place the collection of revenues and customs duties of the city under the chief magistrate, but this plan could not<sup>be</sup> materialised on account of the objections raised by the Raja and also it was feared that, if it was enforced, the influence of the Raja in the management of the revenues in the rest of the province would be impaired.

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1. Forrest, op.cit., vol. III, p.315.  
2. B.R.C., April 17, 1786, pp. 1-2.



Nawab Ali Ibrahim Khan was appointed as the Chief Magistrate on a salary of Rs.2500/- per mensem. He was personally known to Warren Hastings, who had entertained the highest opinion of his moderation, disinterestedness and good sense. He held the office for twelve years, till his death in 1793, and "by his honesty won from Mr. Duncan the eulogium of having been in point of purity and integrity of conduct, a kind of phoenix among his country men".<sup>1</sup>

A naib or deputy was allowed to him on a monthly salary of Rs.400/-.

#### POLICE DEPARTMENT

The police establishment consisted of a mutual on a salary of Rs.150/- per mensem, two hundred pykas or peons, watchmen on Rs.4/- each per mensem, and forty officers, writers and servants of various grades.

The mutual or Chief Officer, besides having the power of arrest, was invested with the power of inflicting corporal punishment to the extent of twenty stripes to enable him to prevent or suppress any riot or disturbance in the city. He received his appointment from the chief magistrate and was in every respect subordinate and answerable to him.<sup>2</sup>

#### FAUJDARI ADALAT (CRIMINAL COURT)

The establishment of criminal court consisted of a dawna on a salary of Rs.400/- per mensem, three naulayia

1. Sec. Sel. Com., Nov. 12, 1781, vol.III, p.816; see also Oldham, op.cit., p.3.

2. B.R.C., April 17, 1782, p.2.

maulavis on Rs. 100/- each per mensem, forty peons each on Rs. 4/- per mensem, twenty one writers, officers and servants.

The daroga and maulavis were required to submit their proceedings to the chief magistrate for every trial, who, after due examination and scrutiny, approved them and returned to the daroga and maulavis with his warrant, who<sup>1</sup> carried them into execution.

#### DEWANI ADALAT (CIVIL COURT)

The establishment of civil court was also consisted of a president or daroga on a salary of rupees five hundred per mensem, three inferior judges <sup>or</sup> of munsifs, each on a monthly salary of Rs. 250/- and twenty four writers, officers and servants of the various grades.

The civil court was invested with the jurisdiction for the trial of all suits of a civil nature. In case of difference of opinion between the four members, they were required to deliver and record their opinions individually; the majority of opinions were taken for the opinion of the court. In cases where two members were opposed to two, the opinion of the president was considered equivalent to two. The decision of the court was final, in case where the value of suit was not more than Rs. 1000/-. In suits of higher value an<sup>2</sup> appeal within a month was allowed to the Chief Magistrate.

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1. Ibid., p.3.

2. Ibid., pp.4-5.

#### DUTIES OF THE CHIEF MAGISTRATE

He was answerable to the Governor General in Council for his departments. He was required to transmit to the Governor General in Council monthly copies of his proceedings and reports about the dismissal and appointment of the senior officers, all new regulations enforced by him, rules of process constituted by him for the use of the various courts and other miscellaneous matters relating to the condition of town and various branches of the Departments.<sup>1</sup>

#### FUNCTIONS OF THE FAUJDARI ADALAT

The daroza, maulavis, nashkar and other officers of the faujdari adalat met together in the court and attended to the complaints brought before them respecting quarrels, abuse, whoredom, violence, thefts and robbery, burglary, etc. They awarded the punishment of infliction of twenty to thirty strokes of the taziyana or confinement for a month only. No sentence of higher punishment was executed without the prior sanction of the chief magistrate. Where the punishment for cutting off a <sup>limb</sup> ib, infliction of death or retaliation was adjudged, a 'fatwah' was prepared under the seal of the court and was sent to the chief magistrate for his signature and after his approval, it was carried into effect. All such papers signed by the chief magistrate were delivered

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1. Ibid., pp. 6-7.

to the <sup>sheristadar</sup>~~sheristadar~~ to make an entry in the bahi maintained for the purpose. A monthly statement of all such decided cases was transmitted to the Governor General in Council for their information. The officers of the adalat were not allowed to hold the court at their own residences. They were required to decide the cases in the public court after a thorough investigation of the causes. When a complainant appeared in the court, a security was taken from him but thieves, murderers and robbers were sent to jail. The defendant was summoned and he was also required to furnish the security.<sup>1</sup>

If the plaintiff and defendant produced their yakils, they were required to furnish the yakalatnamah under the seal and signature of their yakils. Under the seal of the qazi, this yakalatnamah was deposited in the record office of the adalat and was produced before the court on the date of hearing.

No stolen property, which was recovered from the thieves or robbers, was restored to its owners without the prior sanction of the chief magistrate.

If a person made a false complaint or gave a false evidence in the adalat, he was sent to the fauidari adalat for prosecution.

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1. Ibid., pp. 16-19.

Complaints of more than twelve years standing were not attended to and the causes which came under the jurisdiction of the dewani adalat, such as debts, sales or purchases, mortgages, disputes respecting boundaries, etc. were not heard by the faujdari adalat.

None of the officers of the adalat were allowed to receive the smallest amount by way of rasm, bribery, reward, <sup>a</sup>talhana, consideration for services or in any other manner or under any pretence whatsoever. If any one demanded or received anything from any one, and if the person, thus oppressed, informed the daroga of the adalat, the officer concerned was severely punished and dismissed from service immediately.<sup>1</sup>

#### FUNCTION OF THE DEWANI ADALAT

The daroga, malayis, munsifs, pandits, peahkars, munshis and other officers of the dewani adalat were to attend to the investigation of such complaints as were brought before them, in regard to debts, bills of sale, mortgage, settlement of accounts, transfer of property, disputes of boundaries, right of inheritance, other complaints relating to the property, land, money or other articles which had a reference to the dewani adalat.

No complaints of above twelve years standing were to be heard unless the plaintiff furnished sufficient reasons.

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1. Ibid., pp. 16-19.



When the plaintiff appeared in the court, he was to give an undertaking that if he failed to attend the court on the fixed day of hearing without sufficient reasons, his complaints would be considered of no avail.

When the defendant attended a summon, a reasonable security was taken from him. If the plaintiff and defendant brought with them their yakils, yakalatnamahs duly signed were to be produced in the court by both the parties.

If both the parties agreed to settle their disputes by arbitration, the names of the arbitrators appointed by both the parties were to be inserted in the iaraknamah. The decision of the arbitrators under their signature was deposited in the daftar and decision was carried into execution.

In the cases, where the evidence of witnesses was necessary, they were heard on oath of quran or the Ganges water. After the decision of the court, if the defendant did not deposit the amount, he was liable to suffer imprisonment.

No dargahs, maulavis, munsifs, mandits or other officers of the adalat were allowed to hold the court in their own houses. They were to investigate the case in the public court and decide them "faithfully and religiously".

A monthly statement of the decided cases was prepared and forwarded to the chief magistrate for transmission to the Governor General in council for information. No officers of the adalat were allowed to receive even the smallest amount

by way of kusoon, bribe, reward, talabana, consideration for his services or in any other manner. If any officer of the adalat was found doing so, he was severely punished and dismissed from his office immediately.

The causes which came under the jurisdiction of the fauidari adalat, such as infliction of death, retaliation, whoredom, abuse or disputes on the subject of marriage, etc. were never heard by the dawani adalat.<sup>1</sup>

#### FUNCTION OF POLICE DEPARTMENT

On December 14, 1781, orders were issued to Mirza Banke Beg Khan, kotwal that kotwali personnel must perform their duties with fidelity, propriety and attend to the safety and security of the city and environs. They must utmost endeavour to apprehend and confine all thieves, house breakers, robbers and murderers and send them to the officers of the fauidari adalat, who after due investigation of the crime, was to punish them in conformity to the instructions which they had already received for that purpose. They must also endeavour to prevent all disturbances and quarrels of riotous and disorderly people by inflicting a few strokes of the taxiyansh to those who deserved such infliction of punishment.

Strictest injunctions were also issued to the shauki-fara of each quarter of the city to pay the greatest attention on the guarding of their respective quarters and to

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1. Ibid., pp. 8-15.

furnish immediate information of any incident to the kotwal that happened in their areas. In cases of thefts, house breaking or burglary, they were to arrest the perpetrators and send them to the faujdari adalat for prosecution.

It was also directed that the kotwal or his deputies or other officers under him would in no way oppress the inhabitants, travellers or others in the city, nor demand or receive even the smallest amount from any one either in cash or kind by way of penalty, reward, nazar, bribe, <sup>a</sup>talhana, etc.  
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Whatever goods or property from thieves or robbers were recovered, a correct list of the same was prepared and forwarded to the faujdari adalat, who either sequestered or released them after obtaining the sanction of the chief <sup>1</sup>magistrate.

They were not to interfere with the collection of <sup>2</sup>revenues and duties on merchandise.

In 1786 Lord Cornwallis became the Governor General of India. He visited Banaras in 1787 and acquainted himself with the condition of the province.

The administration of justice throughout the country excepting in the towns of Banaras, Ghazipur, Jaunpur and

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1. Ibid., pp. 23-25.

2. Ibid., p. 26.

Mirzapur had long been in a deplorable condition, for the Raja's Mulky Adalat established in 1786 was hardly adequate for the purpose. Its decisions were influenced by the Raja and his officers. The officers and judges of this adalat were Muslims, unacquainted with the matters of revenue and their habits and studies bore no affinity to such disquisitions. The ryot had, therefore, no regular jurisdiction to complain their grievances. When they did complain, it was with the greatest difficulty that they could get some qualified relief by the order of the mail against whom they had complained.<sup>1</sup>

Dharna was the only method of the recovery of debts. Wealthy and powerful creditors accustomed to imprison their debtors in their own houses and <sup>starve</sup> ~~strive~~ and beat them till either they paid up their debts or died.<sup>2</sup> The Brahman creditors and to some extent men of other castes, when unable to seize their debtors, were in the habit of sitting dharna, at the doors till they received payment or died of starvation. Some times they injured their body with the knife. The other mode was to debar the debtor from eating and drinking and to put into confinement the wife, children and cattle<sup>3</sup> of the debtors and often sit down at the door himself.

Cornwallis, therefore, paid his attention towards the judicial reforms of the province. He appointed Jonathan Duncan, then Secretary of the Public Revenue Department, to

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1. Ibid., pp.160-161.

2. Ibid., August 7, 1787, pp.162-163.

3. Ibid., July 13, 1789, pp.767-769.



the Residency of Banaras on a salary of five thousand rupees per mensem and asked him to suggest such "a plan for the future management of the affairs of the province of Banaras suited to its situation and productive of the greatest possible advantages to its numerous inhabitants".<sup>1</sup>

Accordingly Duncan recommended to the Government that the administration of justice in the towns of Ghazipur, Jaunpur and Mirzapur should not be left to the saifs but separately provided for by the appointment of Indian Judges of good character. In October, 1787, he was invested by the Government with the general control of administration of justice of the province, and was directed to provide for the establishment of the new courts at three towns of Ghazipur, Jaunpur and Mirzapur with the assistance of the Raja and to place the establishment of the country on a proper footing.<sup>2</sup> With this object in view, he undertook a tour of the province in the Company of the Raja in January 1788 to have a minute examination of the internal condition of the country and established regular courts for the administration of justice under the authority of the Raja<sup>3</sup> in Ghazipur, Jaunpur and Mirzapur.

Having taken into consideration the intention of the Government in respect of the appointment of a judge on the

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1. Ibid., Sept. 12, 1788, p.125.

2. Ibid., pp.159-160.

3. Ibid., January 27, 1788, pp.270-271.



part of the Company to the town of Ghasipur, Duncan appointed Maulavi Amirullah as the Judge and magistrate on a salary of Rs. 400/- per mensem in January 27, 1788. The police of the town was placed under his control. The total cost of the establishment of the court and police was fixed at Rs. 774/- per mensem.<sup>1</sup>

The judge was empowered to administer justice in all cases, civil and criminal. In the trial of civil cases, the judge was to be guided by the Quran or Shastras according to the religion of the parties. In cases where the parties were of different religions, the law of the defendant was to prevail. In criminal cases Islamic Law was to be administered.

The judge was to inflict punishment to the extent of twenty stripes or week's imprisonment without reporting the case to the Resident but for greater punishment, the Resident's approval was to be obtained before execution of the sentence. The Resident was authorized to hear appeals in civil cases, if made within two months of the decision. Where the cause of action did not exceed Rs. 1000/-, the judgment of the Resident in the capacity of judge of the Sadar Adalat of Benaras was to be final. But if the amount exceeded Rs. 1000/-, the party could appeal to the Governor General in the Sadar Adawani Adalat at Calcutta. In criminal

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1. Ibid., p. 287.

cases, all capital offences were to be tried according to the established forms of Laws and the judge, after passing the sentence, was required to transmit a copy of his proceedings to the Resident, who was authorized to suspend the execution of the sentence passed by the judge, if he felt that the evidences against the prisoners were insufficient or that the judge had failed to conduct the trial according to the customary forms and had passed the decision not warranted by the Islamic Laws.<sup>1</sup>

After the approval of the proceedings by the Resident, the Judge was intimated to proceed to enforce the prosecution of the sentence.

The mutwali fees in the districts of Ghazipur, Jaunpur and Mirzapur were abolished.<sup>2</sup>

On February 29, 1788, the Government approved the constitution of the court of Ghazipur and directed Duncan to adhere as nearly as possible the same plan in the establishment of the two courts of Jaunpur and Mirzapur.

On March 1, 1788, Duncan appointed Mufti Karim Ullah as the judge and magistrate of the town of Jaunpur and accommodation was assigned to him in the old fort. The judge was authorized to expend a sum not exceeding Rs. 2,000/- on

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1. Ibid.

2. Ibid., March 1788, pp. 98-99.

the repairs of Jaunpur bridge and to make such necessary repairs within the fort as was deemed indispensable for the purpose of his residence. Duncan hoped that the allotment of the fort would save the house rent and render good effect on the minds of the inhabitants of the town in establishing the judge's authority.<sup>1</sup> He was to hold his court in a building having forty pillars, known as chahal autoon and daroga-i-adalat<sup>2</sup> was to station there. Duncan appointed Lala Bakshi Singh to the post of the Judge and Magistrate of the town of Mirzapur. He hoped that as the place was being mostly inhabited by the Hindus, the appointment would be gratifying to them like the appointment of a Muhammadan judge in Jaunpur where the ~~an~~ majority of the population were Muslims.<sup>3</sup>

The police was also placed under these town courts. The kotwals were ordered not to allow any thief, robber or murderer to remain within the limits of the towns. If any one's goods were stolen, robbed or plundered, the kotwals were to discover the goods and restore them to its owners.

They were not to interfere in any way with the business of revenue or customs. They were to maintain a regular proceedings with the particulars of the date of the receipt

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1. Ibid., March 15, 1788, pp-48-49.
  2. Khair-ud-Din, Jaunpurnamah, p-28.
  3. BRS.C., March 31, 1788, pp-291-293.

of each application and of the proceedings and decisions thereon. They were to transmit monthly copies of the proceedings to the Resident.<sup>1</sup>

At the request of the Resident, the Government extended the jurisdiction of the Sadar adalat which had been vested in him, in respect of appeals, to the court of the town of Banaras. The resident now began to exert the same control over them as over other three courts. The Resident had also suggested earlier that the chief magistrate, who had been so long independent, should be made subordinate to him. The Resident thought that making Ali Ibrahim Khan's decisions subject to an appeal would obviate his (Khan's) reliance so much on untrustworthy judges of civil and criminal courts, who were taking undue advantages of his liberality because the idea of an appeal would make Ali Ibrahim Khan pay stricter attention to the proceedings of the courts under him.<sup>2</sup> This suggestion was accepted by the Government.

#### LIMITATION OF DUTIES OF THE OFFICER OF THE ADALAT

The following conditions were imposed on the performance of the duties of the officers of the adalat:

- 1) The officers of the adalat were appointed by the hakim or judge.

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1. Ibid., Jan., 1788, pp. 1-4.

2. Ibid., Sept., 12, 1788, pp. 159-160.

2) No recommendation was admissible in the administration of justice.

3) The revenue collector was prohibited from hearing the cases that arose in the town. They were to forward the same to the adalat.

4) They were not to hear the complaints made by the zamindars against the amils or Collector of Revenue relating to revenue cases.

5) The seal of the qazi and mufi was not necessary to be affixed on the decision. The seal of the court, attestation of the court maulavi and the Resident were sufficient.

6) The collector of revenue and customs retained no authority in the judicial administration of the towns. But if a person was in arrear in the payment of revenue and took refuge in the town, the Indian judges, on the report of the collector of revenue or customs, were to prosecute him in such a way that the revenue in arrear was realized.

7) Persons, confined in jail, on account of civil cases, were supplied by the plaintiff with an allowance equivalent to their subsistence. In case the plaintiff neglected in making the payment of such allowances, the persons, confined in jail, were released. In criminal offences, the plaintiff was to supply to them with the subsistence allowance daily which had been defrayed at the end of the month by the Resident.



8) They were instructed to abolish ruspon or due collected on the articles by the officers.

9) They were to prevent the sale of spirituous liquors within their jurisdiction without any licence.<sup>1</sup>

On June 10, 1789, Duncan proposed to extend the jurisdiction of the town courts for debts, to the entire districts.<sup>2</sup> His proposal was accepted by the Government. He was also directed to issue a proclamation throughout the province prohibiting creditors to use force and violence or confine their debtors. The claimants could attain their rights by instituting their claims in any court of justice established in the four sarkara.<sup>3</sup> But on further consideration the extension of jurisdiction appeared to him unadvisable and was not carried out.<sup>4</sup> On November 2, 1792, a similar proclamation was made prohibiting the practice of dharna on pain of expulsion from the province and forfeiture of all rights and title of the property claimed.<sup>5</sup>

The institution of these town courts proved not only highly beneficial to the inhabitants of the towns for whose immediate benefits these courts were established but also created good impressions in favour of the Government in the minds of the people in general, by convincing them that the

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1. Ibid., pp.5-6.

2. <sup>B.R.C</sup> Shakespeare, op.cit., vol. II, pp.146-147.

3. Ibid., July 12, 1789, pp.211-212.

4. Ibid., October 3, 1789, pp.42-49.

5. Bengal Regulations, I, Appendix, p.354.

Government did not scruple to sacrifice some parts of the pecuniary advantages, which it enjoyed, for their welfare.

These courts on the whole worked well and their abolition in 1795 and substitution of these courts presided over by Europeans, was probably an unwelcome change to the inhabitants of the towns.

Thus some provisions were made for the administration of justice in the city of Benaras and the towns of Ghazipur, Jaunpur, and Mirzapur, but the jurisdiction of these courts was confined to the limits of the city and towns in which these were respectively established and did not extend into the interior parts of the districts. As such majority of the inhabitants were still left without any adequate protection and means of procuring redress. Although some steps were taken in 1786 towards the institution of a court of justice for the rural areas called the Mulky Adalat (country court) with the limited authority of hearing and trying such causes which were referred to it by the Resident. Its power and influence were so circumscribed as to be productive of little benefit, until October, 1787, when it was formed into two distinct courts - one was denominated as the mulky adalat (civil country court), and the other mulky fanidari Adalat (criminal country court). These were the only courts to which persons not residing in the city of Benaras or in the towns of Ghazipur, Jaunpur and Mirzapur could apply for redress of their grievances of a civil or criminal nature or relating to revenue matters. It was, therefore, incumbent on the

Government to see that these were regulated in such a manner that they might be adequate to protect the life and property of the people.<sup>1</sup>

Duncan first thought of abolishing them altogether and allocating their duties to the four courts of justice, but on further considerations he gave up the idea because he felt that their abolition would irritate the Raja. It was only on his recommendation that separate judges were appointed to each of these courts and adequate establishment were sanctioned. The salary of the judges were also raised to immune them from ordinary temptation. The salary of the judge of the Mulky Fauidari Adalat was raised from Rs.60/- to Rs.400/- and the salary of the judge of the Mulky Dewani Adalat was raised from Rs.150/- to Rs.500/-.

The Mulky Dewani Adalat was vested with powers to hear, try and decide all civil suits arising in the four sarkars forming the province of Banaras, with the exception of the city of Banaras and the towns of Ghazipur, Jaunpur and Mirzapur. The Mulky Fauidari Adalat was vested with a co-extensive criminal jurisdiction.<sup>2</sup> Both of these courts were to sit in the Resident's office and were under his immediate control.<sup>4</sup> An appeal lay from their decisions to him.

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1. Bengal Regulations, I, p.290; Shakespeare, op.cit., II, p.140.
  2. Oldham, op.cit., vol. II, p.179.
  3. B.R.C., Sept. 12, 1788, p.161.
  4. Ibid., Sept. 12, 1788, pp.160-161.

On January 24, 1789 a gallows was erected in the city of Banaras to strike awe into the minds of the evil minded, as before that date capital punishment had rarely or never been inflicted even for the most heinous crimes.<sup>1</sup>

It was found that notwithstanding the establishment of the courts, persons still presented petitions to the Resident for the redress of their grievances and the Mulky Adalats made delays<sup>1</sup> in the investigation of the cases not especially referred to them by the Resident. A proclamation was, therefore, issued on November 21, 1789, directing the judges of the Mulky Adalats to try all cases without waiting for orders of reference, which would be granted only in cases of complaint against the procedure of the court.<sup>2</sup>

On January 14, 1789, the judges of the Mulky Aswani Adalat were prohibited from administering any of the oaths described in the books of the Hindus, excepting the oath on the water of the Ganges.<sup>3</sup> The judge subsequently asked permission to administer the oath in vogue among the Hindus called 'harivanshi'. It is said that if any one falsely took this oath, the contingency of any evil or misfortune was sure to take place within a certain number of days in his family, or property of the person swearing, but the judge was informed on the 1st of February, 1791, that such oaths were not allowed.<sup>4</sup>

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1. Ibid., Jan. 24, 1789, pp. 249-253.
  2. Ibid., Nov. 21, 1789, pp. 231-232.
  3. Ibid., Jan. 14, 1789, pp. 351-352.
  4. Ibid., Feb. 1, 1791, pp. 4-5.



On October 14, 1791, the Governor General authorized the Resident to admit the mode of trial by a gola (red hot ball) oath for the adjustment of the disputed boundaries in cases in which the parties preferred this mode of decision without having recourse to the regular process of the Adalat.<sup>1</sup>

Cases of employment of this oath, which was in reality a trial by ordeal, were numerous. It was administered in the settlement of the great zamania boundary dispute in January,<sup>2</sup> 1792.

In December, 1788, Duncan was further instructed to establish in Banaras, under his own immediate superintendence, a commercial court for the trial of all complaints and disputes arising in the course of trade or in the collection of the custom duties.<sup>3</sup>

On January 18, 1780, Duncan observed that in the three courts of g Ghazipur, Jaunpur and Mirzapur as well as in the Mulky Begani Adalat, the judges were in all Civil causes directed by the Mohammedan or Hindu Law, according to the Law of religion of the defendants and that in the exercise of the appellate jurisdiction entrusted to him he had extended his rule to the Company's Civil Court at Banaras, about a year ago. He had further intimated that it had before them

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1. Ibid., Oct. 14, 1791, pp. 25-23.

2. Ibid., Jan. 20, 1792, pp. 247-249.

3. Ibid., Dec. 26, 1788, pp. 552-560.



been made a rule that causes of above 12 years standing should not be entertained in the mofussil courts without a prior approval of the Resident.<sup>1</sup>

Thus under Duncan judicial system had grown up in the province of Banaras. There was a civil court and a criminal court for the city of Banaras, with separate judges and one chief magistrate. There were the country civil and the country criminal courts for the whole of the rural districts. There was a commercial court for the trial of suits connected with the trade or custom exactions. There were judges and magistrates at Ghasipur, Jaunpur, and Mirzapur. The sixty six amils of the province decided revenue suits on the spot, and when they failed to do justice, the Resident or one of his assistants, was in the habit of making local enquiries during their tours which often conducted in summer and winter.

On September 19, 1794, the Government directed Duncan to take necessary steps for the introduction of the similar form of internal Government in Banaras as established in the province of Bengal, Bihar and Orissa in 1793, with the consent of the Raja.<sup>2</sup> On October 27, 1794, Duncan reported to the Government that the Raja had consented to the above proposals and given his assent for its execution from the beginning of 1202 faali (1794-1795).<sup>3</sup>

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1. Bengal Regulations, I, p.290.

2. B.R.C., Sept. 19, 1794, pp.109-110.

3. Ibid., Oct. 27, 1794, p.291.

According to this system the zamindari of Banaras was formed as fifth division. The collection of the revenues of the zamindari was committed to the Collector subject to the authority of the Board of Revenue in the same manner as in the other provinces. He ceased to be a magistrate.

His revenue court was abolished. The civil and criminal justice in each division was committed to the provincial court of appeal and the court of circuit. These courts were to hear appeal from the courts of the judge-magistrates.<sup>1</sup>

The Government further proposed to Duncan to establish two civil courts for the trial of civil suits in the first instance, one on the northern side of the Ganges and the other on the southern side. These courts were to be denominated as courts of adalat for northern and southern zilla of Banaras. A court for the trial of civil cases, in the first instance, was likewise to be established in the city of Banaras.<sup>2</sup> For hearing appeals from the decisions of the city court and the two zilla courts and for the trial of crimes and misdemeanours, a civil and criminal court was to be established. It was to be denominated as the Provincial Court of Appeal and the Court of Circuit for the Province of Banaras. Each of these courts was to be superintended by three judges and the judges of the civil court were to preside also in the criminal courts.<sup>3</sup> The Government also

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1. Ibid., Sept. 19, 1794, p.119.

2. Ibid., p.120.

3. Ibid., p.121.

proposed to withdraw all judicial authority from the amils.  
Duncan was directed to communicate his views on these  
<sup>1</sup>  
proposals.

Duncan suggested that the separation of the district  
made by the Ganges was not the best adapted for the local  
jurisdiction of the courts of justice and it was apprehended  
that two such courts would prove insufficient to hear and  
decide the numerous cases that were filed before them. He,  
therefore, suggested that exclusive of the city court of  
Banaras, three courts should be established at the towns of  
Ghazipur, Jaunpur and Mirzapur and Provincial Court of Appeal  
should be established for the division of Banaras, where an  
appeal should lie from the decisions of the city courts and  
zilla courts.<sup>2</sup> He further suggested that amils should not  
be deprived of all police powers so long as they were useful  
in collection of revenues and maintenance of peace.<sup>3</sup>

Duncan's suggestions were approved by the Government  
and new regulations were introduced in the province of Banaras  
on March 27, 1795. The Indian judges of the town courts were  
replaced by the English judges. Under Regulation VII of 1795  
the jurisdiction of the town courts were extended to the  
entire district except the Raja's jagir.<sup>4</sup> The Raja's Mulky  
Dewani Adalat and Mulky Fauidari Adalat ceased to function.  
The complaints from the Raja's jagir were to be dealt with  
by the Collector and the Raja jointly. The land revenue of

1. Ibid., Oct. 27, 1794, p.416.
2. Ibid., Oct. 20, 1794, pp.369-370.
3. Ibid., pp.370-371.
4. Bengal Regulations, I, pp.262-263.

the entire province was placed under the superintendence of the Collector under Regulation V of 1795. The Resident was no longer so styled but was called Agent to the Governor<sup>1</sup> General.

Thus from 1795 the administration of the province of Banaras was on the same lines as that of Bengal. An English Judge and Magistrate was appointed at each of the towns of Banaras, Mirzapur, Ghazipur and Jaunpur and a collector for the whole province. The first Collector was Alexander Duncan who held the proceedings on the same lines as those of the Resident, Duncan. Samuel Davis was the first judge and magistrate of Banaras, H.J. Colebrook of Mirzapur, John Ryly was a junior officer and only acted for a short time, being relieved by A. Welland. Rider fell foul of Routledge, the Collector of Banaras, and on February 24, 1799, the office of judge and magistrate of the zilla Ghazipur was abolished and the jurisdiction being divided up between the judges of<sup>2</sup> Jaunpur and Mirzapur.

A registrar and one or more assistants from among the junior servants of the Company were appointed under the zilla and city judge. Each court was provided with an Indian official duly qualified to expound the Hindu and Mohammadan Law. All descriptions of persons within the local administration of the tribunal, except British subjects amenable to the supreme court, were subject to its jurisdiction.

To obviate the danger of arrears in decisions from the arrival of too many causes to decide, the judge was authorized to refer to his registrar, under an appeal to himself, all suits in which the litigated property did not



exceed rupees two hundred. To a greater amount than above, the registrar's decisions were made referable to the Court of Appeal but the appeal had since been charged to the judges of zilla court. The registrars were called for explanation whenever the number of civil causes decided by them in any month were less than fifteen. The judges of the zilla were to report<sup>1</sup> to the Sadar Dewani Adalat in their monthly reports. The registrars and their associates were required to attend the civil or criminal courts for at least six hours, except on Sundays<sup>2</sup> and other established holidays.

As a further relief to the zilla and city courts from the trial of petty suits and for the convenience of the party residing at a distant place from the seat of justice and to promote the speedy administration of civil justice by establishing additional subordinate judicature,<sup>a</sup> Regulation XXXI of 1795 was enacted which authorised the appointment of the native commissioners to hear and decide suits of personal property not<sup>3</sup> exceeding the value of rupees fifty. Their power did not extend further than suits for personal property of the value of rupees fifty and from their decisions appeal was made to the zilla or city judge, who alone had authority to enforce their decrees. The Native commissioners received no salary, nor were they allowed any establishment but as a compensation they received the institution fee of one anna per rupee, or a commission of somewhat more than 6% on all sums litigated before them. They acted the part of arbitrators and their mode of procedure was summary, that of simple rational inquiry, not distorted into a labyrinth of technical

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1. Ibid., Oct. 20, 1794, p.378.

2. Mirzapur Correspondence, Nov.14, 1803; vol.45, pp.169-70.

3. Bengal Regulations, I, p.322.



forms. From their decisions an appeal lay before the zilla court. And upon these appeals as well as those from the jurisdiction of the registrars, the decision of the zilla court was final, excepting in cases of real property and those cases in which the decision of the inferior court was reversed.

They were not to receive any suit until the prescribed fee was paid to them. They were required to endorse on the back of the petition of the complaint the amount of fees received by them. They were to report the amount of fee charged from the plaintiffs quarterly to the judge, being in the capacity of munsif, as required by section 15, Regulation XL of 1793.<sup>1</sup>

The courts were not to file any petition of complaint until the fees <sup>2</sup> as prescribed by Regulation XXXVIII of 1795 were paid.

In appeals to the judges of zilla and city courts from the decisions of the <sup>Native</sup> Indian Commissioners under Regulation XL of 1793 and XXXI of 1795, in their capacity of referees, arbitrators or munsifs and from the decision passed by the registrar under Regulation VIII of 1794, fees were to be levied on the institution of appeal.

In appeals to the provincial court of appeal from the decision of the zilla and city courts and appeals which were to be filed to the sadar dewani adalat from the decision of

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1. Bengal Regulations, I, Appendix, pp.168-169.  
2. Ibid. p. 277.

the provincial court of appeals, the fees were to be levied on the institution of appeals or suits. The fees were also levied on exhibits, summonses, or commissions for the attendance or examination of witnesses in suits and appeals.<sup>1</sup>

#### LIMITATION OF APPEAL IN THE CIVIL COURT

The three courts of Ghazipur, Jaunpur and Mirzapur were authorised to entertain all suits originating since 12 years prior to the state of their respective institution on January and March, 1788, respectively and to instruct parties desirous of instituting suit of a longer standing to present the petition to the Resident <sup>to</sup> of his order, if it could be <sup>2</sup> proceeded with or otherwise.

If the bond was in course of payment within the period of last twelve years, the party was competent to institute a suit for the complete realization of the amount of the <sup>3</sup> bond.

Cognizance of all claims found in the mortgage deeds were recognizable within twelve years or admitted on any other prescribed and positive limitation of time that had lapsed. But the city court of Banaras was not placed under either restriction or limitation in respect of any period during which they were to hear the causes. But in compliance to Board's order of the 15th of August of the same year, the

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1. Ibid., p.363.

2. B.R.C., Jan., 1795, pp.83-84.

3. Ibid., p.84.

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1. Ibid., p.363.

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3. Ibid., p.84.

restriction prescribed to other courts with regard to the admission of causes of more than twelve years standing were also extended to Banaras.<sup>1</sup>

In causes where the complaint proved by the clear and positive evidences that he had made demand and defendant had also admitted or promised to pay the money but due to minority or some other reasons he had been precluded from the means of procuring redress, under such circumstances all cases were heard.<sup>2</sup>

When the business was settled and the plaintiff's claim was not proved and plaintiff on his own accord gave an icramamah or deed of renunciation, the deed was delivered to the daftar and a decree was made out.

When the plaintiff did not give an icramamah, he was required to forego his claim in a written decree.<sup>3</sup>

When the plaintiff's claim was proved and he had received the amount of claim proved from the defendant, he was to give a razinamah and this razinamah was deposited in the daftar and a decree was made out.<sup>4</sup>

When the plaintiff's claim was established and the defendant did not pay immediately the amount but gave an

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1. Ibid., pp. 85-86.

2. Ibid., p.86.

3. Ibid., Aug. 11, 1794, p.53.

4. Ibid.

icrammah to pay within a certain period, the icrammah was deposited in the daftar and a decree was made out. If the money was not paid during the agreed period and the plaintiff complained to the adalat, the adalat issued injunctions to the defendant for the payment of the amount. an icrammah was again taken from the plaintiff and deposited in the daftar.<sup>1</sup>

When the plaintiff's claim was not proved by the adalat after enquiry or arbitration and the defendant was not satisfied with the findings of the adalat and did not give any agreement to discharge the amount onwards, a decree was made out and the plaintiff filed a complaint in the court for not receiving the amount. The adalat issued injunctions to the defendant to pay the amount. But if in the meantime the plaintiff received the money and informed the adalat, the proceedings were dropped.<sup>2</sup>

Sir John Shore increased the number of courts to dispose of the increased cases. Under Wellesley the regulation for appeals was stiffened and under section 2, Regulation XLIX of 1803, the Assistant Judge was appointed in the dewani adalat in the zilla to assist the judge in the speedy disposal of accumulated cases. He was to try the cases or hear appeals referred to him by the zilla judge. The Section VI of this regulation increased the original jurisdiction of the registrars from deciding the suits valued upto Rs.200/- to those valued upto Rs.500/-.<sup>3</sup>

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1. Ibid., pp.53-54.

2. Ibid., pp.54-55.

3. Bengal Regulations, I, Appendix, p.861.



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1. Ibid., pp.53-54.

2. Ibid., pp.54-55.

3. Bengal Regulations, I, Appendix, p.861.

APPOINTMENT OF MUNSIF

Under Section 14, Regulation XLIX of 1803, the <sup>Native</sup> ~~Indian~~ Commissioners were vested with the powers of munsifs, in addition to those of referees and arbitrators. They were nominated by the zilla judge and approved by the court of Sadar Dewani Adalat. Every <sup>Native</sup> ~~Indian~~ Commissioner appointed to act as munsif, previous to entering upon the execution of the duties of his office, was required to take an oath prescribed in Section 7, Regulation XL of 1793. He was liable to prosecution in the Dewani Adalat for corruption in the discharge of his duties or for any other oppressive or unwarranted act in his public capacity.<sup>1</sup> Under clause 5, section 14 of the above Regulation, no munsif was appointed within five coss of the station where the zilla court was held, unless the zilla judge considered it advisable to appoint a munsif within a smaller distance. In which case he was to report the same for the determination of the Sadar Dewani Adalat, which was empowered to authorize such appointment, if it appeared to them expedient. They were empowered to receive, try and determine all suits referred to them against any Indian inhabitant of their respective jurisdiction, for money or other personal property, not exceeding in amount or value the sum of 50 sicca rupees.<sup>2</sup>

The Regulation IX of 1807 increased the powers of zilla and city magistrates by enabling them to inflict six

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1. Ibid., p.869.

2. Ibid., p.870.

months' imprisonment.<sup>1</sup>

The Regulation XIII of 1810 empowered the zilla and city judges to transfer appeals to specially empowered Sadar Amins and enacted that where the parties compromised, the whole or half of the court fees were returned to the plaintiff, if the compromise was effected before or after the pleadings of the complaint.<sup>2</sup>

#### APPOINTMENT OF JOINT AND ASSISTANT MAGISTRATES

Under Regulation XVI of 1810, the joint magistrates and assistant magistrates were appointed by the Governor General in council. Under section 7 of this regulation, the duties performed by the joint magistrate and assistant magistrate, under powers vested in them, were determined by the orders of the Government on their respective appointments. But in all matters relating to the practice and forms, they were guided by the instructions of the court of the Mizanat Adalat.<sup>3</sup>

Under Section 10 of this Regulation, the Assistant magistrates were subordinate to the joint magistrate in the general discharge of the official duties. In cases of difference of opinion between the zilla or city magistrate and the assistant magistrate, the latter was to conform to

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1. Bengal Regulations, I, p. 651.

2. Ibid., p. 870.

3. Ibid., p. 668.

the directions of the former until a reference was made to the court of Circuit, Court of Nizamat Adalat or Governor General in Council for necessary orders on the subject. It was not intended that any appeal should lie to the magistrate from the sentences passed by an assistant magistrate, whether for punishment or acquittal, or from the orders of an assistant magistrate for the commitment of prisoners or holding them to bail to take their trial before the court of Circuit. Since the assistant magistrate was vested with the powers of magistrate in all such cases within his jurisdiction, his proceedings, therefore, were open to the regular control of the courts of circuit and the court of Nizamat Adalat.

Under Section 2 of this Regulation, the police and other establishment of the Indian Officers employed under a zilla or city magistrate, and not ordered to be placed under the joint or assistant magistrate was continued to be under the control of the zilla or city magistrate.

Such was the establishment for primary jurisdiction or decision in the first instance in the civil department of judicature. A new provision was also devised for the second and ultimate decision in case of appeal to provide against the possibility of unjust or erroneous judgments. The Board of Revenue or the Governor General in Council had previously exercised the powers of appellate jurisdiction. But to prevent the inconvenience of their having too much to do, it had been provided that no appeal should

be made to them unless the property in dispute amounted to the value of Rs.1000/-. It was found that very few suits arose for sum so large as Rs.1000/-. Although the limits of appeal had been enhanced but the expenses of repairing to Calcutta exposed the prisoners to great hardships. The prosecutors and witnesses suffered much inconvenience from being compelled to abandon their private affairs and to proceed to a great distance to carry on the prosecution. Thus the trials of the prisoners retarded and the sentence passed on them and carried into execution at a great distance from the place where the crime was committed, lost the effect of public example.

To remedy these defects, which were experienced in the former judicial system, the Governor General in Council, by Regulation V of 1793, instituted four Provincial Courts of Appeal - one in the vicinity of Calcutta, second in the vicinity of Patna, third in Decca and fourth in Murshidabad. A fifth court of appeal was, likewise, constituted<sup>1</sup> for the province of Banaras under Regulation IX of 1795.

#### PROVINCIAL COURT OF APPEAL AND COURT OF CIRCUIT

This court was superintended by the three judges who were styled first, second and third judge of the court. The first judge was the Agent to the Governor General at Banaras.<sup>2</sup> Its jurisdiction was extended over the city of

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1. Fifth Report, I, p.41; B.R.C., Feb.12, 1794, pp.57-60.

2. Ibid., p.58.



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1. Fifth Report, I, p.41; B.R.C., Feb.12, 1794, pp.57-60.

2. Ibid., p.58.

Banaras and other places including of Ghazipur, Jaunpur and Mirzapur. This court was to use a circular seal of two inches in diameter with the following inscription in the Persian character and language and the Hindustani Language and Nagari character.

"The Seal of the Provincial Court for the Division<sup>1</sup> of Benares".

Two of the three judges had to sit to form a court of appeal from the decisions of the zilla judge. On its criminal side, it was a court of circuit which held sessions. On its civil side it sat at least three days in a week. From its decisions appeal was made to the Sadar Dewani Adalat at Calcutta.

A registrar, with one or more assistants from the junior branch of the European servants, and three expounders of Indian Law, a Qazi, a mufti and a pandit formed the establishment of each court. After various modifications of the rules and restrictions under which recourse might be had from the inferior tribunals to the provincial Court of appeal since 1793, and in subsequent regulations passed in the years 1794, 1795 and 1803, it appears that an appeal was made to the provincial court of appeal in all cases whatever were tried by the judge of the city and zilla courts, in the first instance; but the decree of the latter,

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1. Bengal Regulations, I, Appendix, p.231.

on appeal from the <sup>Native</sup> ~~Indian~~ Commissioners, were final and likewise from their registrars, except for real property where the decisions of the latter was reversed, in such a case an appeal was made to the provincial court of appeal.

The provincial court was empowered to take further evidence if they thought necessary for the just determination of suit before them, or to refer the suit back to the court in which it originated, with special directions, to the judge, regarding the additional evidence which he was to receive.

The provincial court, in common with the city and zilla court, was prohibited from corresponding by letter with the parties involved in suit or with each other, on matters within their cognizance.

Disobedience or negligence in the inferior courts had been reported to the Sadar Dewani Adalat at Calcutta, which had the power to suspend the judge from his office, notifying the same for the determination of the Governor General in Council.<sup>1</sup>

If any person charged the judge of city or zilla court before the provincial court for offence of corruption, under Section 8, Regulation V of 1803, the provincial court received the charge and forwarded to the Sadar Dewani Adalat,

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1. Fifth Report, I, pp.41-42.

provided the petitioner took <sup>1</sup> an oath of the truth of the charge and furnished the security whatever demanded by the Provincial Court.

From all decrees of the provincial court, in cases where the value of things decreed exceeded one thousand rupees, an appeal was originally allowed to the Sadar Dewani Adalat, consisting of the Governor General and Members of the Superior Council, with qazi-ul-qazat or head qazi, two muftis, two pandits, a registrar, an assistant and other ministerial officers, but the appeals preferred being found to occupy too much of the court's time, the limitation for appeal was under section 2, Regulation XII of 1797, extended to suits for money or personal property not exceeding in amount or value five thousand rupees. This limitation proved insufficient for the intended purposes. It was extended in the following year, likewise, to real property of <sup>2</sup> the same estimated value.

Notwithstanding these alterations in the rules for limitations of appeal, the accumulation of undecided cases so far increased as to require more time for their decision, than could conveniently be spared from the various duties which the Governor General in council had to perform. The same observation was applicable to the proceedings in the Nizamat Adalat, or superior court of criminal jurisdiction.

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1. Ibid., p.42.

2. Ibid., p.43.

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1. Ibid., p.42.

2. Ibid., p.43.



Moreover, it was deemed essential by Lord Wellesley, "to the impartial, prompt and efficient administration of justice, and to the permanent security of the persons and property of the native inhabitants of the province, that the Governor General in Council, exercising the supreme legislative and executive authority of the state, should administer in the judicial functions of Government by means of court of justice, distinct from the legislative and executive authority"<sup>1</sup>. It was accordingly determined that the government should relinquish the jurisdiction of the Sadar Dewani and Sadar Nizamat Adalats and place it, in courts especially instituted; over which were to preside three judges, denominated the chief, second and third judge; the chief judge was one of the junior members of the Supreme Council and the other two were selected from among the covenanted civil servants, not being members of the supreme council.<sup>2</sup>

By a subsequent regulation of the Government, however, the Sadar Dewani and Sadar Nizamat Adalats were made to consist of three judges, neither of whom was a member of the supreme council. But this arrangement was annulled in 1807 and a new one adopted by which the number of judges was augmented to four, the chief justice being a member of the council, as formerly. Since that period<sup>a</sup> regulation was passed for augmenting the number of the puisne judges

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1. Ibid.

2. Ibid.

for disposing of the increased cases from time to time as necessity arose.<sup>1</sup>

SPECIAL APPEAL

The power of admitting special appeals in all cases which the provincial court of appeal possessed, was likewise vested in the Sadar Dewani Adalat and in all these courts, the rules for receiving, trying and deciding appeals and suits, originally instituted, were founded on the same principles. The judgment of the court of Sadar Dewani Adalat was final in all cases within the limitations, prescribed by the Statute of 21st Geo. 3rd. Cap.70 Sec.21, namely £ 5000 or rupees 50,000. Beyond that limitation, an appeal was made to His Majesty in Council.<sup>2</sup>

Under Section 2, Regulation XVI of 1797, all persons, desirous of appealing from a judgment of the court of Sadar Dewani Adalat to the King in Council, were required to present their petition of appeal to the court of Sadar Dewani Adalat, either themselves, or through one of the authorised pleaders of that court, duly empowered to present such petition in their behalf, within six calendar months from the date in which the judgment appealed against amounting to the value of rupees fifty thousand, exclusive of cost of suits, had been passed. The court of Sadar Dewani Adalat was to admit the appeal and proceed as directed under Section 3, Regulation XVI, of 1797.

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1. Ibid.

2. Ibid..p.44.

Under Section 4, Regulation XVI of 1797, the Court of Sadar Dewani Adalat was either to order the judgment passed by them to be carried into execution, after taking sufficient security from the party in whose favour the judgment had been passed, for the due performance of such order or decree as His Majesty deemed fit to make on the appeal; or to suspend the execution of their judgment during the appeal, taking the like security in the latter case from the party left in the possession of the property adjudged against him. But in all cases security was to be given by appellants to the satisfaction of the Sadar Dewani Adalat for the payment of all such costs as the said court might think likely to be incurred by the appeal, as well as for the performance ~~to~~ of such order or judgment as His Majesty deemed proper to pass on.<sup>1</sup> After receiving such security the court of Sadar Dewani Adalat declared the appeal admitted and gave notice thereof to the appellant and respondent respectively that they should take measure- the one to prosecute and the other to defend the cause in appeal before His Majesty in Privy Council.

#### COURTS OF CIRCUIT

The court of appeal, on its criminal side, was a Court of Circuit which held sessions. The Courts of circuit had to hold annually two jail deliveries in each zilla without its jurisdiction. In 1794 it was ordained that on of <sup>the</sup> ~~of~~

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1. Ibid; see also Bengal Regulations, I, p. 386.

judges would remain to execute the business of the civil court; while the other two proceeded to hold the penal courts by circuit, but under section 2 and 3 of Regulation III of 1797, it was again directed that two of judges should remain for the business of the civil appeal court and that only one should be spared for the business of the penal circuit.<sup>1</sup> In the performance of this branch of judicial duties, the judges of the circuit periodically repaired to the places, which were seats of the zilla courts and remained there till they had gone through the calendar; <sup>in</sup> the other words they had investigated every charge which was contained in the list of the charges presented to them upon their arrival. The accusation with its evidence, the defence with the evidence, or the confession of the prisoner when he happened to confess, were heard before the judge and recorded in writing. The qazi or the mufti, who witnessed the proceedings, was required to write at the end of the record of proceedings, the fatwa or exposition of Mohammedan Law, applicable to the circumstances of the case and to attest it with his signature and seal. If the fatwa of the Law officers acquitted the prisoners, the judge, after considering the evidence and circumstances of the case, concurred with such acquittal; or if the fatwa declared the prisoner to be convicted of the charge, or any part of it, the judge concurred with such conviction

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1. Bengal Regulations, I Appendix, p.352.

and by the regulations empowered to pass a final sentence on the case without making a reference to the Nizamat Adalat, he was to pass sentence accordingly, and he was to issue his warrant to the magistrate for its execution. But if the judge of the court of circuit disapproved the fatwa and had not been authorized by any regulation to pass the sentence, then, notwithstanding such fatwa, whether for the punishment of the prisoner or for his acquittal or discharge, if the prisoner was to be duly convicted, and liable to a sentence of perpetual imprisonment or death, the proceedings of the trial were to be referred for the sentence of the Nizamat Adalat. If the judge of the circuit agreed with the Law Officers in the conviction of the prisoner or prisoners, and none of them was liable to a sentence of death, the judge was empowered to pass sentence; but the sentence, in all cases, referable to the Nizamat Adalat, was not final until confirmed by that court. By Regulation IV of 1797 the courts of Circuit were empowered to inflict fines or imprisonment for any kind of crime other than murder and homicide.<sup>1</sup>

CAUSES REFERRABLE TO THE NIZAMAT ADALAT

It was observed that considerable delay had been occasioned in the transmission of the trials referable to the Nizamat Adalat, whereby the object achieved by the proposed regulation of 1799, viz. to prevent the long confinement of

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1. Fifth Report, I, pp.52-53.



prisoners, who were to be ultimately acquitted by the Nizam Adalat and to expedite the punishment of those who were to be convicted, had been materially frustrated. So with a view to attaining the actual object of the proposed regulation, it was decided by the Nizam Adalat on September 11, 1801, to observe the following instructions.

The counter part record of proceedings held before the court of circuit, required by Section 2, Regulation X of 1799, was to be transmitted as soon as possible after the close of a trial referable to the Nizam Adalat with the least possible delay, which was absolutely necessary to transcribe the proceedings held upon.

To enable the judges of circuit to prepare the counter-part record of trials referable to the Nizam Adalat, with the least possible delay, the Zilla and city magistrate were instructed to give the assistance of their Indian officers in transcribing the original proceedings and the judges of circuit were authorised to engage the additional muharrir, if so required, and forward the contingent bill on this account for the sanction of the Government.<sup>1</sup>

The proceedings and papers received from the magistrate, required by the above regulation to be transmitted to the Nizam Adalat along with trials referable to that court, were to be transmitted as received from the magistrate,

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1. Mirzapur Correspondence, Sept. 11, 1801, vol. 44, pp. 163-166;  
See also Jan. 13, 1797, vol. 31, pp. 99-100.

without making their copies. Such paper, after the Nizamat Adalat had passed sentence on the trials referable to them, was returned to the judge of the circuit.

The trials referable to them were always transmitted within ten days fixed by Regulation IX of 1793, as well as without any impediment to the business of the circuit.

The courts of circuit were also directed on September 11, 1801, to transmit their proceedings on trials referable to the Nizamat Adalat from the station where such trials were held before they proceeded to any other station.<sup>1</sup> It was observed that under Section 17, Regulation IX of 1793, extended to Benaras by Section 4, Regulation XVI of 1795, that the judge on circuit was to examine and carry away the whole of the proceedings of the magistrates in cases determined by them and submitted to the judge on circuit at the successive jail deliveries. But the Nizamat Adalat were not in favour of this idea that the judge on circuit should examine and carry away the whole of the proceedings of the magistrates. On the other hand they were of opinion that the examination of proceedings was only necessary in cases wherein applications were made to the judge on circuit or where it appeared proper on grounds of equity and justice. Therefore on May 22, 1804, they directed that the judge ought to inspect the proceedings and pass such orders as appeared proper, or make the prescribed reference to the Nizamat Adalat at the

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1. Circular Orders passed by Nizamat Adalat, Sept. 11, 1801 No. 27, pp. 10-11.

station where the application was made, provided it could be done without materially protracting the business of the court of circuit.

But if the requisite examination of the proceedings of the magistrate in these cases were productive of considerable detention of the circuit judge, he was allowed to take the proceedings to the next station on the circuit or to keep them for his examination until his return to the sadar station, intimating the party applying such examination by a written order on his petition to attend him accordingly for the purpose of receiving a copy of the orders<sup>1</sup> passed by him.

On June 19, 1804, orders were issued by the nizam adalat to the courts of circuit that all warrants should be returned to the court by which they were issued after the complete execution of sentence contained in them, with an endorsement certifying the manner in which sentence had been<sup>2</sup> carried into execution.

With a view to judging the progress made towards the suppression of crimes, the magistrates were directed to lay before the judge of circuit at each jail delivery, a statement<sup>3</sup> of crimes committed within their respective jurisdiction.

On November 8, 1806, the magistrates were directed to visit occasionally the thanas in their respective

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1. Ibid., May 22, 1804, No. 33, pp. 14-15.

2. Ibid., Nov. 1, 1804, No. 39, p. 17.

3. Ibid.

jurisdiction and they were to obtain prior permission from the Mizmat Adalat to make a circuit of or visit particular part of their district whenever necessity arose.<sup>1</sup>

The judge of the court of circuit, under the powers vested in him by Regulation IX of 1807, after examination of proceedings and making any further enquiry which he deemed necessary, was to pass such order which appeared to him just and proper, either for the release of the prisoner on his muchalka or reducing the amount of security required (if it was excessive) or for the further detention of the prisoner until he furnished the security required.<sup>2</sup>

On September 6, 1810, the magistrates were directed by the Mizmat Adalat to pay much attention to the comforts of the prosecutors and witnesses. They were not to be detained unnecessarily for a longer period to give evidence on the trials. As soon as the judge of the court of circuit arrived and the circuit duly commenced, the magistrate was to issue the customary process for the attendance of the prosecutors and witnesses in the court of circuit. The magistrates were also directed that no indigent prosecutors or witnesses should be paid allowances. They were to be careful in ascertaining the actual attendance of the parties in the court of circuit. They were to establish such checks as might appear to them most effectual to guard against overcharge by the Indian officers on that account.<sup>3</sup>

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1. Ibid., No. 8, 43, p.19.

2. Ibid., Aug. 8, 1807, No.46, p.21.

3. Mirzapur Correspondence, Sept. 6, 1810, vol.46, pp.111-113.

The appeals from the decision of the courts of circuit were referred to the Nizamat Adalat and in cases of higher degree of punishment, the sentence of the itinerant court was not executed till confirmed by the Sadar Nizamat Adalat. The courts of circuit were required under Section 13, Regulation IV of 1797, to transmit to the Nizamat Adalat the copies of the proceedings on the trial of all prisoners and English translation thereof, whom they sentenced to death and considered for infliction of capital punishment, within ten days after the trial was completed. The Nizamat Adalat reviewed the proceedings of the trial referred to them and submitted their judgment along with the proceedings held in the case to the Governor General in Council and awaited the orders of the Government before they directed their judgment to be<sup>1</sup> carried into execution.

Under Section 12, Regulation IV of 1797, the judges of the courts of circuit were required, on their return from the circuit, to make a report containing an account of every thing which had appeared to them to be worthy of the notice of the Government, in the perfections or imperfections of the laws, condition of jails, management of the prisoners and even on the moral and physical condition of the people.<sup>2</sup>

#### PLEADER SYSTEM

Under Regulation XIII of 1795, the selection and appointment of Indian pleaders or yakils were made in the

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1. Bengal Regulations, I, p.357.

2. Ibid.



zilla and civil courts for the convenience of the suitors. Previous to their practising, they were required to take oath, binding them to a faithful discharge of the duties they undertook. To afford the pleaders and clients the means of gaining knowledge of the regulations introduced by the British Government, printed copies and translations were kept for public inspection upon a table kept for the purpose in every court room where any one could consult and take copies under section 24, Regulation X of 1803, the pleaders were engaged by a small retaining fee, and ultimately rewarded by a percentage on the amount sued for the fees which they were entitled to charge, <sup>from his clients</sup> ~~punishment~~ <sup>1</sup> or from opposite party as determined by the degree. These pleaders were primarily to be selected from the students of Muhammadan College, Calcutta and the Hindu College of Banaras. The pleaders were appointed by the Sadar Dewani Adalat and were not removeable by the judges. They were a kind of check upon the judges as their knowledge of Laws could enable them to point out any ~~deviation~~ from the Regulations in the judgment of the courts. The pleaders were appointed in each court on the part of the Government to whom a fixed salary of Rs.50/- per month was allowed in addition to the fees. <sup>2</sup> By an order of July 25, 1800, the pleaders were not permitted to take copies of any paper from the record room of the courts except on stamp paper. <sup>3</sup>

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1. Fifth Report, I, pp.44-45.

2. B.R.C., Sept. 13, 1794, p.435.

3. Mirzapur Correspondence, July 25, 1800, vol.44, p.45,

### INTRODUCTION OF STAMP PAPER

A further discouragement to the litigation and with the view to increasing the revenue derivable from stamps, the pleadings in the civil suits tried by the judges and registrars of the city and zillah courts and by the court of appeal, as well as miscellaneous petitions represented to these courts, were required to be written on stamp paper of a certain size and description, bearing a duty in proportion to its magnitude.<sup>1</sup> An officer was appointed at Calcutta for issuing a stamp paper and maintaining accounts of the same under Section 13, Regulation VI of 1797. This officer was designated as the "Superintendent of Stamps" and placed under the Board of Revenue.<sup>2</sup> He was to issue stamp paper from his office to the Courts, Boards, or officers on written demand. The courts, Board and Officers were also directed to send their indent well in advance to the stamp officer for supply of stamp paper. Under Section 16, Regulation VI of 1797, all original deeds of contracts, bargains, sales, mortgages, releases, assignment and other conveyance in writing, or instruments, rawannah for goods not exceeding rupees ten and licences were required to be written on stamp paper.<sup>3</sup>

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1. Ibid., Feb. 4, 1801, vol. 44, p.132.

2. Bengal Regulations, I, Appendix, p.362.

3. Mirzapur Correspondence, Aug. 25, 1797, vol.44, pp. 23-24.

By Section XI, Regulation VII of 1797, the collectors were authorized to appoint agents for the sale of stamp paper at each of the courts within their respective collectorship (including the courts of Sadar Dewani Adalat and Muzami Adalat where the agents were appointed by the Collector of Calcutta). The agents were given ten per cent commission<sup>1</sup> on the gross sale produce.

#### MAINTENANCE OF RECORDS

For maintaining and preserving the records of the courts of judicature and to facilitate the means of reference to them, two Keeper of Records were appointed for each of the city and zillah court on October 16, 1795, on a salary of Rs. 30/- per month each. Each court was required to maintain diary of the proceedings in which every order or act of the court was to be minuted in the language in which it was issued. The parties were to take copies of the documents only on the stamp paper.<sup>2</sup>

On August 4, 1795, Jonathan Duncan suggested to the Government about the permanent preservation of the English records which contained valuable information of local importance in connection with settlement and general administration of the province. He recommended that the copies of these should be transmitted to the Governor General in Council at Fort William and another copy alongwith the originals

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1. Bengal Regulations, I, Appendix, pp. 453-454.
  2. Mirzapur Correspondence, Oct. 16, 1795, vol. 31, pp. 19-20.
  3. Ibid., July 25, 1800, vol. 44, p. 115.

and indexes for each year should be preserved in the office of the Resident at Banaras for future reference purposes required by the Collectors in discharge of their duties.<sup>1</sup>

He also recommended that Radha Mohan, who had acted as a head of the Indian writers for several years, should be appointed to the post of the Keeper of Records with some temporary establishment and he should be placed under the Collector. He should be assigned with the duties of supplying the original or authenticated copies of records to the registrars of the various courts on requisition. His proposals were accepted by the Government.<sup>2</sup>

Duncan kept careful record of all his proceedings which he sent to the Governor General in Council at Fort William. These proceedings were forwarded in original to the court of Directors in London. The Office copies of these proceedings were also maintained. But these were in a very bad state of decay. On October 2, 1795, the Governor General in Council sanctioned four copyists at Rs. 40/- per month each and one Reader and one Examiner at Rs. 40/- each for transcribing the proceedings of the Resident.

But this staff was not entertained until after May 8, 1797, when fresh orders on the subject were received from the Government. On November 6, 1798, J. Routledge, the Collector of Banaras, reported that a transcript for a

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1. B.R.C., Aug. 4, 1795, pp. 38-39.

2. Ibid., pp. 39-40.

period of two years and four months had been made and that he was of opinion that whole would be completed in fifteen or sixteen months. On November 23, 1798, the Board directed the Collector to furnish the six monthly reports on the progress made in this direction. On June 15, 1802, the Board informed the Collector that the Board had presumed that the work in connection with the transcribing of the proceedings of the Resident had been completed and desired that same should be submitted immediately. On June 25, 1802, the Collector replied that all papers kept in the English office were in a such state of confusion that it had become very difficult to sort them out with the present meagre staff of the English writers. It was with utmost difficulty that he could spare one or two writers in a month for only seven or eight days to arrange the records in order. He further requested the Board to allow him to entertain two or three extra writers for checking and arranging the records.<sup>1</sup>

In July, 1802, the Board of Revenue wrote to Governor General in Council, "It being of great importance that original English records of the late Residents should be retrieved from the confused state in which they are represented to be, and that they should be duly arranged with a view to their careful preservation in future. We beg to leave to recommend that the Collector be authorized to entertain six extra writers at Rs. 40/- for the purpose of sorting the

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1. D. Dewar, Notes on the Pre-Mutiny Records of the Benares Division, p.3.



English Records and that he be requested to report, at the expiration of every ten days, the dates on which their arrangement shall have been effected, and if they have been found complete or otherwise".<sup>1</sup>

On July 29, 1802, the Governor General in Council passed an order authorizing the Collector of Banaras to entertain 2 writers at Rs. 40 per month each for the period of two months for purpose of arranging the records.<sup>2</sup>

### P\_O\_L\_I\_C\_E

The Mughal Police organization, like most other branches of administration, was shaped out of the Vestiges of the police system of Sher Shah. Sher Shah built his police system on the basic principle of local responsibility. The leading men of the locality, the headmen and mucaddams, for instance, of a village were held responsible for the safety of the area within their village. In maintaining security and guarding their jurisdictions, the headmen were assisted by the amils and shiqdars. If the headmen were unable to trace the thief or the robber, they were thrown into prison and made to compensate for the stolen property. If a murder was untraced, the headmen were to be hanged instead. In the pargana the shiqdar and the amil were supposed to share between them the responsibility of policing their charge. Above them in the sarkar, the fauldar was in charge of the

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1. Ibid., p.4.

2. Ibid.

police, while the chief amil, it seems, was mainly concerned with revenue affairs.<sup>1</sup>

During the period of Akbar and his successors, the fauldar and the kotwals were held responsible for thefts and robberies committed within their jurisdictions. It is not unlikely that the headmen also continued to give a certain amount of assistance to the Government in the maintenance of peace and safety, as they did in the assessment of the realization of revenue.

The entire responsibility and authority of the police department in the sarkar was divided between the fauldar and the kotwal, the former being in charge of the rural area and the latter in charge of the chief town and its suburbs.<sup>2</sup> These two officials were assisted by the shicdar and amil in the pargana. Wherever necessary the pargana was divided into several smaller jurisdictions each consisting of a few villages under a thanadar.

The city was divided into the muhallas (wards of the city). The kotwal was to appoint a headman for each muhalla by whose cooperation and advice he controlled the affairs of the muhallas. He summoned the watchmen and sweepers and took bonds from them that they would daily report to him the occurrences of every muhalla without suppression or exaggeration. He also enlisted a pyada (footman) singly from each

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1. P. Saran, Provincial Government of the Mughals, pp. 395-96.

2. J. N. Sarkar, Mughal Administration, pp. 55-58.

ward and posted him there as a spy to report all news.<sup>1</sup>

In times of stable government and under strong rulers the general state of security in the provinces was quite satisfactorily maintained. The contemporary travellers and merchants, who form the main sources of information on this subject, testify to the peace and prosperity of the people and abundance of all sorts of commodities, both of necessities and luxuries. Soon after the death of Aurangzeb, a great disorder prevailed in the internal administration of the Provinces. A regular system of government which had existed under the most intelligent and powerful Mughal rulers began to dwindle in every province.

The sovereignty of the province of Banaras was ceded to the East India Company on May 21, 1775 by the Nawab of Awadh. Superintendence of the police administration was formally made over by the East India Company to Raja Chait Singh, but this arrangement proved a disastrous failure. Murder, robbery and rapine became rampant and passed without any enquiry.

To improve the existing state of affairs, Hastings established a distinct department of police on October 19, 1781, under Nawab Ali Ibrahim Khan, Chief Magistrate, to maintain peace and security for the life and property of the people. The police department was headed by a kotwal

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1. Ibid., pp. 58-60; see also <sup>Siyar</sup> ~~Siyar~~ Asat-Daur, III, pp. 175-178.

under whom there were a naib, two hundred peons or <sup>by kes</sup> ~~peons~~, watchmen, etc. to patrol the street, at night and to assist him in the execution of his duties.

The kotwal was invested with the power of inflicting corporal punishment to the extent of twenty stripes to enable him to prevent or suppress any riot or disturbance in the city. He was also required to collect every morning reports from all the chowkidars about the happenings which took place in the different muhallas. Similar establishments were also sanctioned for the districts Ghazipur, Jaunpur and Mirzapur in January and March 1788 respectively.<sup>1</sup>

#### POLICE ORGANISATION FOR URBAN AREAS<sup>2</sup>

There were five kotwali's chabutras. A certain number of pykes or peons and trumpeters, under a janeshin, were attached to each chakutra, and they patrolled the streets of their respective areas allotted to them at night in batches. Every evening they were numbered or mustered.

2) There were janadars of the sawaries. They were to be mustered before the sader mutasaddi every night before they were to be dispersed to patrol the thoroughfares and streets of the city. Sometimes they were also sent for patrolling in disguise to inspect the work of the pykes or peons, etc. But their main duties were to trace out and receive the stolen property.

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1. B.R.C., Jan. 27, 1788, pp. 270-271; March 15, 1788, pp. 48-49; March 31, 1788, pp. 291-293.

2. Ibid., March 18, 1795, pp. 95-101.

3) The kotwal and his naib also patrolled throughout the night to supervise the work of the watchmen, janeshin and innadars of sawaries. If any one of them was found idle in performance of his duties, he was severely punished.

4) Every morning janeshin collected the reports from the watchmen at the chabutras and transmitted the same to the kotwal.

5) There were harkaras attached to each chabutra. They collected the reports from the janeshin and forwarded the same to the adalat.

6) There were many narrow lanes in the city of Banaras with two-fold gates. These were closed at night and watched by the private watchmen engaged by the inhabitants of the lanes. These watchmen had also to forward the reports of the previous night to the mutasaddi of the kotwali.

7) There were many saraia for the reception of the travellers. Reports from these saraia were also collected every morning.

8) During the day time, the kotwali pykes or peons divided themselves into many groups and made enquiries about the gambling, thieves, pickpockets, disturbers of peace, etc.

9) Whenever any report was lodged with the kotwali about any impending danger or breach of peace in any muhalla, the kotwali officer at once proceeded to the spot and brought the situation under control.



10) Whenever some one died in any unfortunate event or accident and brought for cremation on the bank of the river Ganges, the kotwali officers were to make enquiries about the death and the cremation of the dead body was suspended until order was passed by the kotwal<sup>1</sup>.

11) In cases, where persons tried to commit suicide, they were persuaded by the kotwali officers not to do so, and the adalat was informed if any one was determined to do so.

12) The harkara of the kotwali informed the kotwal if some one died without any heir.

13) The kotwali officers inspected the weights and measures in the town.

14) They attended to the construction of the ghats for passage of troops from Awadh to the province of Banaras and vice versa, and also arranged for the supply of provisions to the troops during their stay in the Banaras city.

15) They attended to the prevention of fires and looked after the decayed and mud houses during rainy season.

16) They supplied coolies, labourers, etc. to the English men through the chaudhris of the different trades.

#### POLICE ORGANISATION FOR RURAL AREAS

It was consistent with the principle that the zamindars

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were entrusted with the charge of maintaining peace in their zamindaris. In his official capacity, the zaminder was a police officer and was bound to apprehend murderers, robbers, house breakers and generally all disturbers of peace. If he failed in arresting the robbers or recovering the stolen property, he was answerable to the injured person for the amount of loss. He was directly under the control of the tahsildar, who was vested with the police powers<sup>1</sup>. This system was very plausible and in the beginning efficacious too but like most oriental institutions it had fallen into decay.

The tahsildars were answerable to the magistrates of the division for all robberies committed in their amaldaris.<sup>2</sup>

Under Sections I and 2, Regulation XVII of 1795, the limits of each tahsildar including the rent free lands were considered as constituting the police jurisdiction. The police jurisdictions were numbered and named after the places where the tahsildars and their establishment were stationed. The magistrates were not authorised to change the names or numbers of the jurisdictions, nor alter their limits without the sanction of the Governor General in Council.

The thanas were established in every pargana or tahsil or district mahal according to the area.

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1. Fifth Report, I, p.55.

2. Bengal Regulations, I, Appendix, p.273.

The area of each thana or subordinate police chowki was fixed and defined by the magistrate in consultation with the tahsildar. Where there was no tahsildar, then in consultation with the lagirdar, talukdar or other land holders.

The establishment of each thana consisted of the following types of officials:

i) One daroga at a salary of Rs.20/- or Rs.25/- or Rs.30/- per month according to the area of population.

ii) One jamadar at Rs.8/- or Rs.10/- per month.

iii) One muharrir at Rs.8/- per month.

iv) Ten or more armed peons or barcandazs (not exceeding 25 in any jurisdiction) at Rs.4/- per month each.

v) Allowances for paper, ink, etc. Rs.2/- per month.

The darogas, jamadars, muharrirs, and barcandazs were nominated by the tahsildars. Where there was no tahsildar, then by the landholders immediate in charge of the police and then approved by the magistrates. They were liable to be dismissed by the magistrate for misconduct, if proved. The tahsildars and land lords were not empowered to dismiss them without the prior sanction of the magistrate.

The receipt, acquittance rolls of the darogas and other subordinate police officials for their monthly salary were transmitted quarterly by the tahsildars or independent land holders to the magistrate.

The darogas of the thanas, being the officers of the police, subordinate to the tahsildars (or land holders where

there was no tahsildar) and acting under them for performance of the police duties as prescribed by Regulation XVII,<sup>of</sup> 1795, were empowered to receive complaints and apprehend offenders, ~~take~~ <sup>take</sup> cognizance from the prosecutors and witnesses and send the prisoner through the tahsildar to the magistrate, or in petty offences to admit them to bail.

He was to submit his report directly to the magistrate in the absence of the tahsildars.

The tahsildars and landholders were prohibited from employing the darogas and other subordinate officers of the thana in the collection of the revenues.<sup>1</sup>

The darogas were to hold inquest on the body of the persons supposed to have died an unnatural death.<sup>2</sup> They were to take care of the insane persons within their jurisdiction and send them to the sadar station from whose insanity they had reason to apprehend any fatal effects.<sup>3</sup> They were to look after the sale of the spirituous liquors and inspect the stamp licence from the manufacturers and vendors of the spirituous liquors. They were also to furnish quarterly reports of the number of shops established for the sale of the spirituous liquors along with the rates of the duties actually paid by the vendors.<sup>4</sup>

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1. Banaras Correspondence, vol. 8, pp.134-140.
  2. Mirzapur Correspondence, March 5, 1800, vol. 44, p.85.
  3. Ibid., January 6, 1801, p.131.
  4. Ibid., Nov. 3, 1799, pp.73-77.

The darogas were not selected from any particular class of people. A brahman, a sardar, a munshi or even menial class, each in his turn, was a candidate for the post.<sup>1</sup>

The magistrates were directed to visit the thanes of their respective jurisdictions when they found necessary and expedient. For such tours they had to obtain the sanction of the Nizamat Adalat.<sup>2</sup> By an order of March 7, 1803, the magistrates were directed to forward to the Nizamat Adalat a monthly report of all crimes of a heinous nature ascertained to have been committed in their jurisdictions.<sup>3</sup> This report was found very useful in ascertaining the nature of the crimes committed, steps taken towards their suppression and the necessity of adopting any further remedial measures from time to time.

By an order of 2nd February, 1797, the magistrates were authorized by the Nizamat Adalat to transfer the police daroga in their jurisdictions from one station to another, but they were required to furnish sufficient reasons to the Nizamat Adalat for doing so.<sup>4</sup>

As the problem of collection of revenue became gradually tedious, intricate and required much time of the tahsildars, they found little time to attend to the supervision of the police. Besides, it was also reported that

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1. Ibid.

2. Banaras Correspondence, Nov. 8, 1808, p.119.

3. Ibid., March 7, 1808, pp.126-127.<sup>127</sup>

4. Ibid., July 11, 1807, p.130.



most of the tahsildars and other officers were found guilty of exactions of money and other abuses of authority and also there was a reason to apprehend that these extensive powers vested in the tahsildars were often employed for the purpose of extortion and abuse of authority. Therefore it became almost unavoidable to separate and vesting to the hands of the <sup>1</sup>magistrate.

With a view to restoring efficacy in the police administration, the tahsildars and zamindars were relieved of the functions of the duties of the police in conformity with Section 2, Regulation XIV of 1807, and under orders of the Nizamat Adalat of the 14th of October, 1807. Since then the police came under charge of the magistrate, excepting the police establishment of the altamgha and isgir of the Raja of Banaras, who were appointed by the Raja with the approval of the magistrate and received their salary from the treasury <sup>2</sup>of the Raja of Banaras.

Under Section 5, Regulation XIV of 1807, the district was divided into police jurisdictions. These jurisdictions were of two types: the first was established at the station where the zilla or city court was held which was denominated as "the sadar police jurisdiction" and the other was established at any place not being the station where the zilla or city court was held, which was denominated as "unfussil <sup>3</sup>police jurisdiction".

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1. Mirzapur Correspondence, Feb. 19, 1808, vol. 73, pp. 110-111; see also Bengal Regulations, I, pp. 652-653.
  2. Ibid., Nov. 7, 1807, vol. 73, pp. 36-37.
  3. Bengal Regulations, I, p. 654.

The sadar police jurisdiction comprised the city or town where the zilla or city court was held together with such area of the suburbs as was deemed expedient to place under the superintendence of the kotwal, with an establishment of a daroga, jamadars, barkandazs and chowkidars, etc. proportionately to the extent and population of the jurisdiction.<sup>1</sup>

The mofussil police jurisdiction comprised of towns or <sup>as at</sup> ~~ganisat~~<sup>2</sup> which the superintendent of the jurisdiction was to be stationed together with such part of the adjacent area as was deemed advisable to place under the superintendence of a daroga with an establishment of jamadars, barkandazs and chowkidars, proportionately to the extent and population of each jurisdiction.

The police stations were situated at a distance of 10 <sup>2</sup> ~~cosg~~ or twenty miles square. Under Section 7, Regulation XIV of 1807, the police jurisdictions were numbered and named after the places at which the superintending officers were stationed.<sup>3</sup>

Under Section 8, Regulation XIV of 1807, the magistrates were to nominate the kotwals and police darogas through the nizam-at-adalat for the approval of the Governor General in Council. Persons were selected only on the basis of their

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1. Ibid.

2. Ibid., Fifth Report, I, p.55.

3. Ibid., p.655.

experience, qualifications and character.<sup>1</sup>

The kotwals of the cities of Benaras and Mirzapur were required to furnish the security of Rs.5000/- each before their appointment. The kotwal of Jaunpur was required to furnish the security of Rs.2500/- only. The police daroga was required to furnish the security of Rs.1000/- only. They were not liable to be removed from their offices without the sanction of the Governor General in Council.<sup>2</sup>

Under Section 11, Regulation XIV of 1807, the police jurisdiction was divided into wards. Each ward was to be guarded by a police daroga with the assistance of barkundazas,<sup>3</sup> chowkidars and watchmen. On the 10th of May, 1809, a circular was issued by the Nizamat Adalat that the darogas of the thanas should be suspended from their offices on charges of corruption or misconduct and their substitute appointed. The acting darogas were to be paid full salary. If the daroga under suspension were acquitted from the charges found against them by the magistrate or court of circuit before whom the trial was held, they would recommend to the Nizamat Adalat for the payment of full or part of salary to the officers for the period of their suspension.<sup>4</sup>

In 1808 the magistrates were directed by the Nizamat Adalat to prepare the register of village watchmen as

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1. Ibid.

2. Ibid., p.656.

3. Ibid., p.657.

4. A Circular Order passed by the nizamat adalat, May 10, 1809, No.51, p.26.

required by Section 21, Regulation XII of 1807 and to forward a report on the establishment of guards and watchmen entertained by the land holders and other individuals within their jurisdictions.<sup>1</sup> The magistrates were required to send the proposals to the nizam adalat for the establishment of police thanas and chowkies in their jurisdictions.

#### VILLAGE WATCHMEN

The village watchmen were appointed by the zamindars and other land holders. They were either paid in cash or kind.<sup>2</sup> Under Section 13, Regulation XVII of 1795, all ghoraites (watchmen) pykes, chaudhris, dasbans, etc.) were under the tahsildars in his capacity of the chief local police officer. He was to maintain a register of their names and in<sup>the</sup>event of their death or removal from service, the zamindars or land holders, authorized to fill up such vacancies, were to appoint chowkidars and forward their names to the tahsildar for registration. The daroga also<sup>3</sup> used to maintain a register of their names.

Under Section 17, Regulation XVII of 1795, the tahsildars were to receive from the Government a reward of ten rupees for every robber or thief who was apprehended by them. They were, likewise, entitled to a commission of 10% on the value of all property stolen or plundered which they recovered,

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1. Mirzapur Correspondence, Jan. 21, 1810, vol. 45, pp. 7-10.

2. Ibid.

3. Banaras Correspondence, Jan. 23, 1806, pp. 88-89.

provided that the robber or thief was apprehended and  
convicted.<sup>1</sup>

### CITY WATCHMEN

As regards the city watchmen, the city was divided into wards. Each ward was provided with main gateways or phataks at which watchmen were posted.

The watchmen were also appointed by the magistrate in some muhallas and they were paid from a tax levied on the inhabitants of those muhallas through the kotwal, as pre-<sup>2</sup>scribed by Section 28, Regulation XVII of 1795. The duties of these night watchmen were to close the gate at night, guard the entrance and submit immediate intelligence of all the incidents to the kotwal.<sup>3</sup> Muhalladars and bhatiarahs were, likewise, appointed agreeably to Section 27, Regulation XVII of 1795, which afforded security to the merchants who came to the city from outside.<sup>4</sup> Their main duties were to see that undue exaction should not be made. A mutasaddi<sup>5</sup> was appointed to supervise the activities of such officials.

Under Section 11, Regulation XIV of 1807, the chowkidars and watchmen were to be stationed by the kotwal under the

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1. Ibid.

2. Mirzapur Correspondence, Jan. 5, 1808, vol. 73, pp. 52-53.

3. Banaras Correspondence, Aug. 5, 1809, pp. 119-120.

4. Mirzapur Correspondence, Jan. 13, 1808, vol. 73, pp. 54-56.

5. Ibid.



direction of the magistrates. They were particularly to watch the entrances of streets, and passages and places where spirituous liquors were sold.

The jamadars of the several wards with half of the establishment, patrolled their respective wards without intermission, the one from sun-set until 12<sup>0</sup>'clock <sup>at</sup> ~~and~~ night and the other from 12 0'clock at night until day light.

The kotwal was to supervise their work and report to the magistrate every instance in which they were found guilty of negligence or misconduct in the discharge of their duties.<sup>1</sup>

#### APPOINTMENT OF SUPERINTENDENT OF POLICE

Under Section 3, Regulation VIII of 1810 Mr.G.D.Guthrie was appointed as superintendent of police for the division of Bareilly and Banaras<sup>2</sup> on August 16, 1810, All the magistrates were directed to transmit to the superintendent of police separate abstracts of the reports made to them by the daroga, jamadars, or farmers respectively about the commission of dacoity, murder, arson or highway robbery.<sup>3</sup> The superintendent was to keep himself well informed about the actual state of police in the zillas and

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1. Bangal Regulations, I, p.658.

2. Ibid.,p.683.

3. Ibid., p.123.

cities comprised within his jurisdiction and submit to the Government a report regarding the public offences and other related matters which appeared to him to require the interposition of the Government.<sup>1</sup>

Magistrates of zillas were directed to afford every assistance and cooperation to the superintendent of police and his subordinate officials in the discharge of duties entrusted to them. The provincial courts were, in like manner, required to render every support to the superintendent and his officers which was consistent with the principles of justice and general regulation.<sup>2</sup>

## J\_A\_I\_L\_S

Prior to 1794, the jails appeared to have been any building in the vicinity of the court of justice, which could conveniently be hired or acquired for the purpose of confining the prisoners who were convicted for a shorter period. In these jails women were kept apart from men, and every attention was paid to the health and proper accommodation of the prisoners. The European surgeon of the station was to render medical aids to the prisoners with the assistance of Indian doctors. The judges of the courts of circuit were required to inspect the condition of the jails and submit a report to this effect to the nizamat adalat.<sup>3</sup>

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1. Ibid.

2. Ibid., Jan. 24, 1809, vol.46, pp. 122-123.

3. Fifth Report, I, p.48.

The prisoners sentenced for higher or capital offence, were sent to Calcutta for their trials under the immediate superintendence of the nizamat adalat and after the<sup>n</sup> sentence was passed on them, they were confined in the jail of the twenty four parganas. It has been stated earlier that the prisoners were exposed to great hardships from being obliged to perform a long journey under restraint. Many prisoners escaped on the road. The prosecutors and witnesses suffered much inconvenience from being compelled to abandon their private affairs and to proceed to a great distance to carry on the prosecution. The trials of the prisoners from their numbers were retarded and the sentence passed on them and carried into execution at a great distance from the place where the crime was committed, lost the effect of public<sup>1</sup> example.

To remove the above hardships and protect the life and property of the prisoners, it was decided on the 18th of February, 1794, that the criminal courts now attached to the collectorate should be abolished and that in lieu thereof courts of circuit should be established for the province of Banaras. The courts of circuit were to make the circuit at the headquarters of the districts to decide the criminal cases on the spot and to hold two jail deliveries annually.<sup>2</sup>

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1. B.R.C., Feb. 12, 1794, p.57.

2. Ibid., p.50.

In February, 1795, new plans were prepared for the construction of jails and it was decided to spend a part of surplus collection of the 1200 fasli (1792-93) and 1201 fasli (1793-1794) for enlarging and remodelling the existing jail of Banaras, and constructing new jails at the district headquarters of Ghazipur and Mirzapur at a cost of rupees 70,000.<sup>1</sup> In these jails provisions were made to keep the debtors separate from the criminals, and prisoners under sentence from those detained for examination or giving further evidence.<sup>2</sup>

In December, 1795, the Mizmat Adalat sent a military (wild) cat to the magistrate of Mirzapur to be used for punishing the prisoners, who were sentenced to the infliction of stripes under the law of tazir and directed him to apply for a new one, when the old one became unserviceable.<sup>3</sup>

On December 21, 1796, the Sadar Dewani Adalat issued instructions to the magistrates of the division to use a kora (whip) which was formerly established instrument for punishment in the execution of the sentence for corporal punishment passed by the court.<sup>4</sup> They were directed to call the prisoners before them and made them acquainted with the sentences which had been passed on them. When they had inflicted 25 tazim<sup>a</sup>nahs, they discharged the prisoner with

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1. Shakespeare, op.cit., I, p.280.

2. Fifth Report, I, p.48.

3. Mirzapur Correspondence, Dec.3, 1795, vol. 43, pp. 17-18.

4. Ibid., Dec. 21, 1796, vol. 43, p.129.

serious admonition for his future good conduct.<sup>1</sup> In 1801 the tamizans<sup>2</sup> were increased to 39.

PRECAUTIONS ADOPTED IN WHIPPING

1) The whipping post was so constructed that the prisoner when tied to it, was quite secured from receiving any blow on his breast or other foreparts of his body.

2) The korebardar was positively enjoined to strike the prisoner on the back only, with every possible precaution to prevent the blows falling on any other part of the body.

3) All prisoners were examined by the surgeon of the station prior to their infliction of punishment and the punishment was also postponed, if any person was declared medically unfit by the surgeon to receive it.

4) The Indian doctors, attached to the jails, were present on all occasions when the prisoners were punished with the kora. They were empowered to stop the whipping at any stage when they observed that the infliction of the remaining stripes would endanger the prisoner's life. In such cases the remainder of the punishment was to be postponed until the surgeon of the station considered the prisoner capable of sustaining it.<sup>3</sup> When the surgeon of the station was absent

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1. Mirzapur Correspondence, Oct. 8, 1799, vol. No.44, p.63.

2. Ibid., Dec. 4, 1801, p.171.

3. Ibid., Dec. 21, 1796, vol.No. 43, pp.129-130.



or away from the station, the prisoners were to be examined<sup>1</sup> by the Indian doctors.

#### DRESS OF PRISONERS AT THE TIME OF PUNISHMENT

The dress consisted of a jacket made of strong hide, so formed and fitted, as to cover and defend from injury the whole of the forepart of the body and neck and the loins behind, leaving exposed only that part of the back and shoulders<sup>2</sup> on which the stripes were actually to fall.

#### TRANSPORTATION

On December 3, 1795, the Sadar Nizamet Adalat issued an order that if the prisoners, confined in jail and under sentence of transportation, were unfit for any physical labour due to their age, sickness or any allied causes,<sup>3</sup> they should be sent to the jail of the zilla of 24 Parganas.

On August 3, 1796, another order was issued that whenever the prisoners were to be sent to the jail of the 24 Parganas for transportation of life, an accurate list containing the names of the prisoners, the dates of their sentences and the period for which they were ordered to be transmitted to the magistrate of the zilla-concerned.<sup>4</sup>

Magistrates were directed to send the prisoners under a proper guard to the magistrate of the 24 Parganas.<sup>5</sup>

1. Circular order passed by nizamet adalat, Dec.21, 1796, No.10, pp.4-5.
2. Mirzapur Correspondence, Oct.10, 1797, vol.No.43, p.183.
3. Ibid., Dec. 3, 1795, vol. No.43, pp.15-16.
4. Ibid., Aug. 3, 1796, vol.No.43, pp.85+86.
5. Ibid., Jan. 11, 1797, p.141.

SENTENCE OF DEATH

On January 11, 1797, instructions were also issued that prisoners should be called and acquainted with the sentence which had been passed on them. Police officers were also directed that after the prisoner had suffered death, his body was to be suspended on a gibbet on or near the spot where the murder was committed. They were also directed that the prisoner's body should not be removed by his relatives or friends from the place where it was to be suspended.

On March 5, 1810, an instruction was issued to the judges of the courts of circuit that the magistrates were at liberty to execute criminals sentenced to suffer death, at such place within their respective jurisdictions, as might appear to them most expedient, causing the body to be afterwards gibbeted at or near the spot where the crime had been committed.<sup>1</sup>

The judges were, no doubt, very careful that whenever a convict was sent to any distance from the jail for execution, they deputed sufficient armed guard for his safe custody

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1. Ibid., March 5, 1810, vol. No.46, pp.27-28.  
On January 11, 1797, the court of circuit transmitted to the magistrate of Mirzapur a warrant for the execution of the final sentence of the Nizamut Adalat on the prisoner Pal Singh with the instructions that he should call the prisoners before him and make him acquainted with the sentence which had been passed by the Court. He was also to direct the police officers that after the prisoner had suffered death, his body was to be suspended

contd. next page.

under a responsible officer of the court. The officer, jointly with the commanding officer of the guard and local police officer, was to make a written report of the due<sup>1</sup> execution of the sentence.

No criminal was executed or gibbeted in any town, village or other inhabited place or near the house of any individual as to afford a ground of complaint.<sup>2</sup>

RELEASE ON SECURITY OR RUCHAIKA

On April 1, 1810, it was reported to the Nizamut Adalat that the prisoners, ordered by the court or by the courts of circuit to find security for their good behaviour previous to their release, had in some instances remained for several years in confinement owing to their inability to furnish the required security and although during the period of their confinement in the jail, their conduct and behaviour was found quite satisfactory. In such cases magistrates were directed to release the prisoners on their personal ruchalka without furnishing any security after obtaining the requisite sanction of the courts of circuit.<sup>3</sup>

From a perusal of some cases brought to the notice of the Nizamut Adalat, it appeared that the prisoners convicted

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footnote (1) continued from the last page:

upon a gibbet on or near the spot where the murder was committed and that the police officers must be careful that the prisoner's body was not removed by his family or any other persons from the place where it was to be suspended. (S.A.U.P., Mirzapur Correspondence, January 11, 1797, vol. No. 43, p. 143).

1. Ibid., p. 28.

2. Ibid.

3. Ibid., April 1, 1810, vol. 44, p. 176.

for robbery had been discharged under security for good behaviour. The Nizamut Adalat considered the expediency of enforcing the penalty in such cases where the surety was necessary. With a view to discouraging the common practice of persons for a pecuniary compensation by making themselves answerable for the conduct of men of bad character over whom they had no influence, in the expectation that whatever might be the future conduct of those for whom they were responsible, their surety would be regarded as nominal and not to be enforced. To put a stop to this practice, the Nizamut Adalat issued instructions on April 27, 1810, that whenever a person who had furnished security for his good behaviour and appearance and convicted for a serious criminal offence and had not been delivered up by his surety, the latter should be called upon to show cause why the penalty to which he was liable by his engagements, should not be enforced. Unless the satisfactory reason was assigned against enforcing the security bond, in whole or in part, it should be executed by the usual process for the recovery of the money from the civil court, if not paid on the requisition of the magistrate.

It was also desired that the magistrates should be cautioned to limit their requisitions of security for good behaviour and appearance to such sums as appeared equitable for recovery in the event of conditions of the engagement not being fulfilled, and they should also be careful in ascertaining that the sureties accepted were sufficiently

responsible to make good the amount eventually demanded from  
1  
them.

RELIABILITY OF THE SURETY

A question arose, whether recognition for peace and good behaviour was merely personal and the obligation of the penalty bond determinable with the life of the original surety, or whether the amount of the penalty was determinable from the estate of the surety, it was decided by the Nizamut Adalat on August 30, 1810 that the following rules should be observed for the purpose:

1) In cases, where it was necessary to enforce a penalty bond entered into by a surety for the peace and it appeared that the surety was dead, the magistrate, enforcing the engagement, would proceed against the heirs and executors of the surety to the extent of any property belonging to the deceased.

2) Under this rule, magistrate would be careful that the penal engagement entered into by a surety specified the responsibility to which his heirs and executors would be liable in the event of his demise.

3) It was also to notify that sureties delivering up the persons for whom they were responsible, must at all times obtain a discharge from further responsibility, and the magistrates were to attend to any application made to them for

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1. Ibid., April 27, 1810, vol. No-46, pp.55-57.



this purpose, and at the same time requiring the persons so delivered up, to find other and sufficient security.

4) In all cases when the surety died, his representatives would also have the option of obtaining a discharge by delivering up the party engaged for, as provided in respect to the surety himself in the preceding paragraph.<sup>1</sup>

#### ISSUE OF PROCLAMATION WITH THE ARREST OF PRISONERS

On October 20, 1809, proclamations were issued for the arrest of the prisoners. A copy of the proclamation was affixed in the collectorate kachehari and at various police thanas. The Collector was directed to transmit copies of the proclamation to the tahsildars to be affixed by them at their kachehari. It was also necessary to have the proclamation made by beating of drums in the town, village or place where the prisoner or prisoner's family resided. If there was a market near the residence of the prisoner, the proclamation was made by beating of drums on three successive market days. Where there was no market, the proclamation was made by the beating of drums at three different periods after a gap of a week.<sup>2</sup>

#### RECORDING OF THE STATEMENT OF PRISONERS AT THE THANA

On August 23, 1810, the nizamat adalat directed that all the persons apprehended by the police should be sent to the

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1. Ibid., Aug. 30, 1810, vol. no.46, pp.99-101.

2. Ibid., Oct. 20, 1809, vol. no.46, pp.23-24.

magistrate within forty eight hours after their arrival at the thana.

It had been observed that confessions had been ~~x~~ frequently extracted from the prisoners in confessal at unreasonable hours of night and in secret and sometimes in lonely places where only the police officers or persons under their influence, had been allowed to be present. Therefore, it was directed by the Nizamut Adalat that such practice should be discouraged and the court of circuit should carefully examine the witnesses to the faujdari confessions so as to ascertain that they had been made in the magistrate's presence or that of his assistant under the circumstances which excluded any improper interference <sup>or</sup> <sup>1</sup> influence.

#### PARDON

On July 22, 1802, it was decided by the Sadar Nizamut Adalat that the frequent pardon of acknowledged accomplices in murder, gang robbery and other serious crime was obviously objectionable and repugnant to the end of justice. Accordingly, the court had restricted the applications to the Governor General in Council, except in the exceptional cases, which <sup>2</sup> were as follows:-

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1. Ibid., Aug. 23, 1810, vol. No. 46, pp. 93-98; Circular Orders passed by Nizamut Adalat, Aug. 23, 1810, No. 73, pp. 42-44.
  2. Ibid., July 22, 1802, vol. No. 44, pp. 180-183.

The cases where zilla or city magistrates judged it advisable to propose an offer of pardon to an accomplice in any of the crimes described in Section 3, Regulation III of 1796, with a view to discovery and apprehension of principal or several of the prisoners by whom such crimes had been committed or for the discovery of the facts or circumstances which might assist in the conviction of the principal offender.

2) To cases in which the judges of the court of circuit deemed it expedient in consultation with their law officers to tender an offer of pardon, on the prescribed conditions, to any prisoner charged as an accomplice with a view to have his evidence recorded against the principal offender or offenders or for any cause which in the judgment of the court of circuit might render it advisable to propose such offer of pardon under the provisions contained in the Regulation VI of 1796.

In the latter case, as mentioned above, the judge of the court of circuit, before whom the trial was to be held, would address to the Nizamut Adalat as directed by Section 4, Regulation VI of 1796, and in the former case the zilla and city magistrates would submit their reports to the court of Nizamut Adalat. But upon obtaining the sanction of the Governor General in Council to an offer of pardon in cases e.g., when the party was to be examined as an informer, not as a witness, then instead of leaving it to the court of circuit to examine him, they were themselves to take his examination without oath and submitted the proceedings of

his trial to the court of circuit, who, if the conditions for his pardon were fulfilled, were to report the same to the court of Nizamut Adalat for the purpose of obtaining confirmation of his pardon in the mode prescribed by Section 4, Regulation VI of 1796.<sup>1</sup>

#### MEDICAL AID AND SANITATION

On September 28, 1810, the Sadar Nizamut Adalat issued a circular that sick and wounded prisoners would be provided with the medical aids and other necessary articles. The contingent bills of the surgeons in this respect would be countersigned by the judge, collector or commissioner on whose request the surgeon had attended the patient.<sup>2</sup> Sanitation was also properly attended to. The report of the 1st judge of the court of appeal gives a clear idea of the sanitary arrangement which runs as follows:

"I visited the Jail (Mirzapur) yesterday morning and had every reason to be satisfied with the cleanly state in which I found it and the general healthy appearance of the prisoners. They represented to me the hardships of working on the public roads on Sundays, and as I am of opinion that they should have one day's rest in the week, I recommend<sup>3</sup> that they may be exempted from working on Sundays".

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1. Ibid.

2. Ibid., Sept. 28, 1810, vol. No. 46, pp. 115-116.

3. Ibid., pp. 116-117.

~~4. Ibid., Sept. 28, 1810, vol. No. 46, pp. 115-116.~~

EMPLOYMENT OF PRISONERS

On April 6, 1796, the court of Nizamut Adalat, after consulting their law officers, decided that the employment of all prisoners, excepting the sick, convalescent and the infirm, was consistent with the Mohammadan Law. Consequently the prisoners were employed to the repair of roads or other similar public works.<sup>1</sup>

On August 10, 1796, the Nizamut Adalat further directed that if any prisoner from his "rank or situation of life" or otherwise appeared to the magistrates an improper object to be employed to the public works agreeably to the above orders, the same would be reported to the Nizamut Adalat along with the circumstances of the case, for the special remissions and after obtaining the sanction, the execution<sup>2</sup> of the former order was suspended.

On January 5, 1798, the Vice President in Council sums up the following observations regarding the employment of the prisoners to the public works of utility. "It is, however, of the greatest importance that the sentences of the criminal courts should not become insufficient merely for the want of proper means of employing the convicts, whose labour properly applied, might in great measure, if not entirely, provide for the expense of their maintenance. The punishment

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1. Ibid., April 6, 1796, vol. No.43, p.43.

2. Circular Orders passed by Nizamut Adalat, Aug. 10, 1796, No.8, p.4.



of hard labour ought at the same time to be very rigidly enforced, not only as it may operate in a very salutary manner by the example which will be constantly exhibited to the public but as it tends to the preservation of health of the convicts and by inducing habits of industry, may enable those whose sentences are for a limited term of years, to provide their own subsistence, when released from confinement and thus prevent them from again recurring to their former habits of life, so injurious to the peace of the community".<sup>1</sup>

One barkandaz was kept as a guard for every four prisoners employed on the roads. Cases reported to the Nizam Adalat showed that inspite of such a vigilance, prisoners had escaped from their duties. Hence, on November 14, 1798, the andar Nizam Adalat directed that henceforth prisoners would be employed in batches under the strict vigilance<sup>a</sup> of as many guards of barkandazs as could be spared from other duties for the purpose.<sup>2</sup> It was considered that the following advantages would be derived by employing the convicts in batches:

- 1) It would be the safest mode of confining them to prevent the frequent escape.
- 2) It would be less expensive and the number of guards would be reduced.

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1. Mirzapur Correspondence, Jan. 5, 1798, vol. No.44, pp. 8-9.

2. Ibid., Nov. 14, 1798, vol. No.44, pp.27-28.

3) It would be more laborious employment, and more work would be taken from the convicts.

4) This species of labour would be felt as a real punishment which imprisonment alone did not appear to be among this description of persons. It would operate more powerfully as an example and its effects on the mind of the people would be beneficial in deterring them from committing crimes, one of the main objects of public punishment.<sup>1</sup>

#### REMISSIONS

On September 28, 1810, some remissions were also granted to the prisoners. Sunday was declared holiday for them.<sup>2</sup>

#### REFORMATORY SCHOOL

This school was established at Chunar in 1811 to reform the children engaged in vagrant course of life. The children of the following descriptions were admitted to this school. They were maintained and taught useful trade and occupation according to their castes and pursuits.

1) Children engaged in criminal profligate, disorderly or vagrant course of life.

2) The offsprings of vagrant and criminal parents.

3) Hindu children who had been kidnapped or otherwise improperly obtained by the Muslims and deserted after a change had been effected in their religion, which precluded their parents and friends from receiving them back.

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1. Ibid., March 14, 1800, vol. No. 44, pp. 90-92.

4) Stray and deserted orphans.

5) New born infants abandoned by their mothers in the streets.

These children were granted maintenance allowances not exceeding three pice a day each. They were taught and trained in the way best suited to them, for their practical life, after they attained the age of maturity, such as tool making, mechanic, etc.

There was a curriculum for the school. The hours of teaching, practical work and lecture were fixed up. The children of the higher community were taught to read and write. A head teacher was appointed to supervise them.

These children were imparted instructions in the principles of religion and morals according to the tenets of their respective faith.

An European Superintendent, subordinate to the magistrate, was appointed to look after the conduct of the teachers, attend to the cleanliness of the children, maintain regular accounts of the house, trades and incidental expenses, and superintend the sale of the articles manufactured in the school.

The medical duties were performed by the surgeon of the station. An annual report of the working school was submitted by the magistrate to the Government.<sup>1</sup>

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1. Banaras Correspondence, Sept. 6, 1811, pp.172-175.

DIET, ALLOWANCES AND CLOTHING

3/4 of an anna was sanctioned as an allowance for diet to each prisoner. In addition to a blanket, each prisoner was also given two dhotis, one chaddar and one turban with two mats to sleep on and two pillows stuffed with straw in a year. The total charges for these articles were limited to 1.3/- per annum for each prisoner.<sup>1</sup>

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1. Ibid., Dec. 31, 1805, pp.102-103.

## CHAPTER - VI

### INDUSTRIES AND TARIFF

#### Industries

In the province of Banaras the various industries were the opium, indigo, salt, saltpetre, silk textiles and cotton, etc., metallic industries like wire drawing of gold and silver, manufactures of silver howdas, chairs, palanquins, tonjans, idols, flower bases, trays and other domestic utensils, like bowls as available in Poona, lota, batlohi, etc. and minor industries like manufacture of perfumes, wooden toys, etc. There was specialization in different handicrafts and consequent proficiency of those respectively engaged in them.

#### OPIUM

It is believed that opium was introduced into India and China by the Arabs. In India opium was a state monopoly under the Mughals who <sup>leased</sup> ~~freed~~ it out to private individuals on an annual payment in advance. After the decline of the Mughal Empire, the East India Company's servant at Patna, the neighbourhood of which produced better quality of opium, indulged in opium trade for their own benefit. Patna was the chief centre of opium trade. From about the middle of the 18th century when the Imperial power was on the



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decline, the trade was controlled by opium dealers and petty businessmen and competition among the different European factories raised the price of one maund of opium from Rs.100 to Rs.150.<sup>1</sup> In 1765 the Patna Council effected a compromise by "admitting them to a subordinate share under the new arrangement". The Patna Council was the sole purchaser from the root and small country dealers, but the Dutch and French got certain shares out of the total opium collected.<sup>2</sup>

In 1773 Warren Hastings decided to replace the arrangement by a Government monopoly. It was decided that an exclusive privilege should be given to Mir Munir, the successor of Mir Ashraf, for cultivating opium in the province of Bihar. He was to deliver the entire produce of Bihar to Calcutta at the rate of 320 ~~sicca~~ rupees and that of Ghazipur and Nawab Wazir's territory at Rs.350 per chest. He was also to supply to the Dutch the usual quantity at the customary rates.<sup>3</sup> Till 1775 Mir Munir and his associates Ram Chanda Pandit were granted the contract of buying opium. From 1785 the monopoly of opium contract was auctioned to the highest bidder. This resulted in adulteration of the drug. The results were disastrous for trade.

On April 9, 1788, the Governor General in Council issued a circular to the collector of the districts where the opium

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1. Report of the Royal Commission on Opium, 1894-95, vol. III, p.36.

2. Ibid., p.37.; Fifth Report, I, p.40.

3. Ibid., ( Appendix A).

was manufactured, asking them to furnish the following<sup>1</sup> information:

1) Whether the mode of contracting for opium was productive of any inconvenience to the cultivators?

2) If the ryot were left to dispose of the opium cultivated by them, whether it would be possible to obtain an enhanced rent from opium lands?

3) What would be the increase of revenue upon the jama of each pargana in consequence of such enhanced rent?

4) Whether the ryot were at liberty to cultivate the opium or not?

5) What would be the effect of a regulation, if they were declared at liberty to cultivate opium at their own choice regarding the quantity and quality of the produce?

6) Whether the condition of the opium ryot were easy and comfortable compared to that of the ryot of other provinces?

7) If the ryot were authorized to dispose of the opium in such mode as they pleased, what would be the effect as to the quantity and produce of this article?

8) Whether there would be any inconvenience attending ~~a contract~~<sup>what would be</sup> the remedy under an agency?

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1. Shakespeare, op.cit., vol. II, pp.157-158.

9) If the contract was to be continued, whether any regulation would be necessary for the care, comfort or protection of the ryot?

10) Were the ryot who cultivated the opium comparatively of a low or high caste according to the law and estimation of their sect?

11) If the trade of opium was left open to all, what quantity would be expected to be received from Bihar to the Northern or western Provinces, and whether such a measure would or would not occasion an influx of the specie into the country?

12) If the company was not to exercise a right of pre-emption, whether there was any reason to apprehend the institution of partial and petty monopolists to the inconvenience of the ryot?

In order to assist the collectors in compiling the information on the above questionnaire, Mr. Heaty or his agents were directed to supply them an account of the measurement of the opium lands within their respective jurisdictions.<sup>1</sup>

Duncan consulted Ram Chand Pandit in this matter who had a very long experience in opium cultivation in the province of Bihar as well as in Banaras. Pandit's observations and answers were so complete that Duncan submitted

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1. Ibid.,

then in its entirety to the Government. He was convinced that as long as the provision of opium was to be continued for the Company, it could hardly be better conducted than under the circumstances and regulations pointed out by Ram Chand Pandit.<sup>1</sup>

Ram Chand Pandit explained in detail the evolution of the contract system that was then prevalent in Bengal and Bihar, pointed out its defects and stressed the desirability of continuance of agency system in the province of Banaras which would be beneficial to the cultivators.

In consequence of the above circumstances, the agency of opium was committed to Ram Chand Pandit. He was directed to settle engagements with the ryot who cultivated the opium plant in the four sarkars and caused them to receive pattas for the cultivation. He was to advance money which was required by the cultivators to promote the cultivation as initial expenditure. He was to take engagements from the ryot that whatever opium was produced they would deliver the same to the Government and not to sell them to others. The contract system proved failure. The cultivators were exploited by the contractors. They were compelled to increase the area under poppy cultivation beyond their means and convenience. In cases where zamindars were unwilling to let their tenants to cultivate the poppy, bribed the contractors and persuaded them not to enter

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1. Ibid., July 16, pp.258-266. Translation of Ram Chand Pandit's answers and objections on the questions put by the Govt. relative to the cultivation of opium.



into engagements with the cultivators, although the cultivators were willing to enter into agreement for the supply of opium. This resulted in loss of income to the Government as well as to the cultivators.

The contractors were to collect certain number of chest within a limited period. Their main object was to realize the required quantity even at the cost of ryot. If they failed to supply the stipulated quantity of opium, they were severely fined.<sup>1</sup>

Besides these difficulties, the cultivators also suffered at the hands of the dandidsars or weighmen who used to take wrong measurements and defraud the cultivators from their share of income. Ram Chand Pandit suggested a number of devices for the remedy of these defects and protection of the ryot.<sup>2</sup> These were:

- 1) To give a liberal price to the contractor and not to be guided merely by the lowest price quotation to fix the price to be paid to the ryot as near as possible to the price paid to the contractor;

- 2) To abstain from enforcing the ryot to cultivate the poppy against their will;

- 3) To prohibit the ryot to sell the opium to individuals so that quality and quantity of produce might not suffer.

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1. Ibid., pp.269-271.

2. Ibid., p.271.

The first was intended to give a sufficient margin of profit to the contractor so that he need not harass and exploit the ryot and the second was to give adequate return<sup>1</sup> to the cultivators.

Duncan, while forwarding Ram Chand Pandit's recommendations to the Government, also forwarded the rates paid for opium lands, which varied from Rs.4/- to Rs.8/- per bigha, according to the quality of the soil.

He informed the Government that he proposed to advance Rs.1,00,000 to the ryot during the current year for the provision of opium for the ensuing year. He also agreed with the suggestions of Ram Chand Pandit for the better management of the opium business that "a gentleman of feeling heart and good understanding be appointed to manage it as agent, and not by contract". Advances should be given only to those ryot who were willing to cultivate the poppy in their fields. The scales of dandidars should be fixed<sup>2</sup> in the ground. He also recommended that the ryot should never be let off without punishment, when they were detected either delivering the poppy juice in an adulterated<sup>3</sup> state or disposing it of elsewhere.

On January 2, 1789, Duncan reported to the Government about the undue hardships imposed on the Indian cultivators

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1. Ibid., pp.271-272.
  2. Ibid., pp.274-275.
  3. Ibid., p.276.

of opium in the weight taken on their deliveries and the battas exacted on the payments made to them. He had authorized the agents to reduce the surplus weight heretofore taken from 8 to 2½ seers and to pay the cultivators in real Banar's siccas, instead of exacting a batta of 5% as had been customary. He stated that these two articles would enhance an increase of Rs. 30/- per chest on the original estimates. He also informed that these two articles would enhance the price from Rs. 150/- per chest of two maunds, as originally proposed by the agent when the agency was settled in his favour, to Rs. 180/- or Rs. 190/- per chest. He requested the Government to approve of it in consideration of the relief provided to the ryot and the encouragement given<sup>1</sup> to the cultivation of so valuable article by these means.

Duncan further informed the Government that some additional expense had been incurred by shifting the warehouse for the manufacture of opium from Ghazipur to Banaras to exercise an effectual control over its preparation. This expenditure would be compensated by the superior quality of the commodity which had been prepared in Banaras and despatched to the Presidency. The cost of transportation amounting to Rs. 2-4-0 per chest would be made up by the profit on the sale of such part of the opium as was required for consumption in Banaras, for which there was an authorized retail shop at the company's godown in the city.<sup>3</sup> The

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1. Ibid., Jan. 21, 1789, pp. 143-144.

2. Ibid.

3. Ibid., Feb. 6, 1789, p. 72.

above proposals were approved by the Government on January 21, 1789.

On February 6, 1789, Duncan submitted to the Government a statement of the account of the opium cultivation in the province of Banaras for the year 1195 fasli, including the charges of building godowns for its reception and preparation. The whole expenditure amounted to Rs.3000/- which was not above half of the moderate sum at which it was first computed.<sup>1</sup>

In spite of Duncan's proposal for the continuance of agency system, the Government replaced it by the system of contract on the 28th of September, 1789, which was in vogue in other provinces. This was done in order to bring Banaras into line with the other provinces. The contract had been settled with J.<sup>L.</sup> Williams for four years, beginning from September 1, 1789. The quantity of opium to be prepared in Banaras annually was fixed at 500 chests and Duncan was directed to insert a stipulation in William's engagements that one half of the quantity provided in his contract would be delivered at the Presidency by the 1st of December and the remainder by the 6th of January in each year beginning with the year 1790-91.<sup>2</sup> It was also ruled that although the contract specified that the advance to the contractor should be given in siaca rupees and in no other

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1. Ibid., p.73.

2. Ibid., Sept. 16, 1789, pp.443-444.

specie should be advanced by him to the ryot, but if the rupees of any other specie should be the currency of the district, the Company were to advance to the contractor and the contractor to the ryot in that currency, valuing the same at the established provincial battas between rupees of such currency and those of the sicca standard.<sup>1</sup> Duncan felt that if the quantity was fixed at a high level, the contractors and ryot would be forced to have recourse to the illegal practices as prevalent in Bihar and Bengal. To encourage the contractor to procure more opium than the contracted quantity, it was provided that he should receive 50 sicca rupees for each additional chest supplied over and above the stipulated quantity.<sup>2</sup> By the notification of the 9th of November, 1789, he was allowed to import opium from the Nawab Wazir's dominion on payment of a duty of 2½% as arranged by the commercial treaty of 1788.<sup>3</sup>

By the twentieth article of the conditions of the existing contract for the provision of opium in Bengal and Bihar, dated July 29, 1789, ryot embezzling or disposing of opium were declared liable to a fine of four sicca rupees per seer, in addition to a confiscation of the opium when it would be seized and when it would not be seized, to a fine of ten sicca rupees per seer, recoverable

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1. Ibid.

2. Ibid., Nov. 9, 1789, pp. 65-69.



in the dewani adalat by the process laid down in the judicial regulation.

A representation was made to the Governor General in Council by the opium contractors regarding protection of their privileges and, on the 19th of February, 1790, a further notification was published by the order of the Governor General in Council that if any British subject was detected in acting contrary to the Regulations of the Government limiting the provision and manufacture of opium to the public contractors, he was to forfeit the Company's protection in case offence was proved and was to be sent to Europe. Likewise if any Indian was found guilty of some offence, he was to be subjected to a fine of 375 sicca rupees per maund, for every maund of opium which had illegally provided. One half of the above fine was to be paid to the informer, and the other half to the Government.<sup>1</sup>

The cultivators of opium were called to account for short deliveries of the quantity of opium ascertained by the kankoot or estimate of the crop<sup>5</sup>. The judge of the mulky adalat sought instructions from the Resident in cases where there was no deficiency in the delivery of the quantity of koot or estimate and at the same time the cultivators had sold the opium to other people.<sup>2</sup> The Resident pointed out two circumstances which led to the

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1. Ibid., Feb. 19, 1790, pp. 227-229.

2. Ibid.

sale of additional opium, (1) it might be the produce of the former years, and (2) it might not be the produce of the seller's cultivation but of his purchase from others<sup>1</sup> in the way of trade.

Since the implication of the above consideration was not provided in the Government Regulations, the Resident framed the following rules which were approved by the Governor General in Council on the 28th of May, 1790.<sup>2</sup>

1) Where the quantity, sold to others and above or beyond the estimate, was the produce of the current year, the seller was subject to a fine of 4 sicca rupees per seer for so much he had thus sold, with confiscation of such opium where it could be found and a fine of ten rupees per seer where it could not. It was the duty of the opium grower to deliver all his current year's produce to the contractor for the prices fixed by the Government.

2) Where the quantity sold to other people had been the produce of former years, the seller was to pay a fine at the rate of Rs. 825/- per maund in accordance to the advertisement published by the Governor General in Council on the 19th of February, 1790.

3) The above rules were framed to check the smuggling of opium. Any such sale or purchase would have affected

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1. Ibid., May 18, 1790, pp. 333-335.

2. Ibid., pp. 334-335.

the income of the Company, derived from the sale produce of the opium.

On June 13, 1791, J.L. Williams, contractor of Banaras opium, requested the Governor General in Council to introduce a regular system of authority in the province of Banaras which had been introduced in other parts of the country for the mutual convenience and security of the contractors and ryot. The ryot, not being under their control, were in the habit of infringing or evading the orders and regulations<sup>1</sup> of the Government regarding cultivation.

The Resident also reported to the Government on June 19, 1792, that the opium contractor, in his discussions with the judges of the several courts, had referred to a proclamation issued by the Governor General in Council on March 4, 1791, preventing all prohibited dealings in the opium. According to this proclamation illicit purchases were subject to the same penalties as contraband sellers of opium. In almost every suit there were to be levied a double penalty instead of single one, hitherto adjudged<sup>2</sup> in the courts.

The Resident felt that although this proclamation appeared to be meant more immediately for Bengal and Bihar, but its tenor and spirit could be applied equally to Banaras. He instructed the court to enforce it. The

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1. Ibid., June 14, 1791, pp.89-91.

2. Ibid., June 19, 1792, pp.549-550.

Resident's action was approved by the Government and on June 28, 1792, the Regulations containing the proclamation of March 4, 1791, relative to smuggled opium were extended<sup>1</sup> to the province of Banaras.

On January 28, 1793, the Government invited proposals of contract for future supply of opium as the present engagements with the Company for the provision of the opium in the province of Bengal, Bihar and Banaras, were due to expire on August 31, 1793, and published the following conditions under which the contract for the provision of opium were to be held.<sup>2</sup>

1) In the event of the court of Directors disapproving of the terms of the contract, or making any alteration in the mode of providing opium in Banaras, or relinquishing the provision of the same altogether, the Governor General in Council was at liberty to annul the engagements.

2) The contract was for four years commencing from the 1st September, 1793.

3) The contractor was to deliver annually six hundred chests of opium of two maunds each, each maund containing forty seers and a seer weighing 76 Banaras rupees and four annas.

4) The contractor was to be conducted in sicca rupees and the advances to the contractors were to be made in that

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1. Ibid., pp. 550-551.

2. Ibid., Jan. 28, 1793, pp. 33-34.

specie and no other specie was to be advanced by him to the East.

5) The opium to be delivered in the first year of the contract was to be equal in quality to a chest of approved Banaras opium, delivered in the last year of the existing contract; that of second year was to be equal to approved Banaras opium of the first and a corresponding rule was to be observed with respect to the deliveries in the two years succeeding. The three chests of approved Banaras opium of the years from the supply of which musters were to be taken, would be deposited in the office of the Board of trade, as a sample for ascertaining the quality of the opium delivered.

6) The contractor was to pay to the Company a penalty of 300 sicca rupees per chest for every chest of opium short of the stipulated quantity and to refund the amount of the advances made to him for the provision of quantity deficient, except when the deficiency was occasioned by hailstorm or any other calamity of the season affecting the crops.

7) The contractor was to deliver to the Company or their agents all the opium which he might be able to provide and to pay a penalty of seven hundred and fifty sicca rupees for every chest of opium that he might sell, barter or otherwise dispose of to any other person.

8) The opium was to be delivered by the contractor at the Board of Trade office in Calcutta. The charges of



package and manufacture, transportation and delivery charges were to be borne by the contractor.

9) The contractor was to pay to the Raja of Banaras a duty of 2½% on all opium that he might import from the dominions of the Nawab Wazir on the valuation that was specified in the Nawab Wazir's rawannah and also a duty of 2½% to the Company on the valuation inserted in Banaras rawannah. Similarly on exportation thereof, the contractor was to pay to the Raja a duty of 2½% on the valuation specified in Banaras Book of rates and a duty of 2½% on the same valuation to the Company upon its entering the province of Bihar.

10) The contractor was not to import or provide any opium, the produce of Bihar or Bengal under pain of the same being confiscated.

11) The contractor was to pay to the ryot two Banaras sicca rupees and eight annas for each seer of pure opium weighing ninety six Banaras sicca rupees and to advance the same at the customary periods. The contractor was allowed to take from ryot, exclusive of above weight, a surplus of one chhatak per seer, making two and half seers per maund as an allowance for the drying up and wastage of the crude material before it was made into cakes.

12) The contractor or his agent was allowed to take engagements from the cultivators for the specified number of bighas to be cultivated only and not for the specific

quantity of opium to be produced in those bighas. When the poppy was full grown, the contractor was to depute his agents to form an estimation of produce in consultation with two or three creditable cultivators. After that the grower was to enter into engagements to deliver the agreed quantity of opium.

13) In the event of the crops being damaged by hail or any other natural calamity of season, the Resident, on representation made by the contractor, was to depute amin to ascertain in conjunction with agents of the contractor and ryot the actual extent of loss occasioned thereby. The charges of the amin so deputed were to be defrayed by the contractor.

14) The scales and weights used by the contractor or his agent in weighing the opium received from the ryot were to be scaled with the seal of the Resident and examined annually by him or his representative. The opium was to be weighed in the presence of both the parties.

15) In the event of the cultivator failing to deliver in full, the quantity agreed by him, the following consequences were bound to follow:

1) If the failure was occasioned by no fault on his part, he was only to refund the proportional part of the advance received by him with interest at the rate of 8% per annum.

ii) If the contractor suspected or believed the cause of failure to be the wilful neglect or embazlement of the ryot, he was to complain to the Resident or the adalat and upon proof of its being owing to neglect, the judge or the Resident was to award that the ryot should restore the proportionate advance, with interest at the rate of 12% per

111) The ryot was liable to no penalty for breach of contract when it was proved that he had with him unliquidated advances from the contractor at the time of the failure of crops. But where he wilfully embezzled the crude material by selling it to others, the contractor was to complain against him to the Resident or adalat for redress as stipulated in the 2nd clause of this article.

15) Where the ryot mixed water with the crude material to increase the weight of it and brought it for delivery, the contractor or his agent was to appoint two or more creditable opium growers to decide on their dharma or conscience the quantity of water mixed and the party was to abide by their decision.

16) If the crude material was delivered by the growers in an adulterated condition, the contractor was to seize and seal it immediately.

17) The contractor or his agents, were prohibited from collecting any fee, premium or dastur, on their engagements from the cultivators. If any one was found to do so, he was to pay three times the amount of all such exactions or receipts, together with the complainant's cost of suit to be estimated by the judge.

18) The contractor was to be amenable to the mafussil and sadar courts of justice in all matters relating to his contract.

19) The contractor or his agent and the opium cultivators had the option of lodging their complaints in the first instance before the Indian judge of the mofussil courts or immediately before the Resident. Complaints decided by the courts were appealable to the Resident and complaints lodged before the Resident to the Governor-General in Council, provided the amount of suit was not less than the sum fixed by the regulations respecting appeals.

From the above Regulations, it is evident that Duncan strove hard to bring prosperity to the cultivators as well as the Government. He paid much attention to the production of pure opium in Banaras which fetched a considerable amount of profit to the Government. Although he endeavoured to secure maximum profit for the Government but it was never at the cost of the cultivators.

The Regulation of 1793, however, could not arrest the decline in opium trade. On January 12, 1796, Sir John Shore wrote to Dundas, "The deficiency in the revenue arising from the opium this year, will be more even than the sum<sup>1</sup> allowed for it". About twelve months later, he again informed Dundas that the funds of the Company "have no instance failed excepting in the article of opium, which was not unexpected"<sup>2</sup>. The letter dated the 2nd of March, 1796, laid before the Court of Directors expressed great concern and unfavourable result of opium sale in the preceding months. It was 4773 chests of Bihar, Bengal

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1. Holden Furber, Private Record of an Indian Governor Generalship, p.88.

2. Ibid., p.113.

and Banaras opium fetching a price of 7,42,548 Sicca rupees. The fall in price was due to the markets "being overstocked with last year's export, to the great quantity on hand of the present year, to the indifferent state of the drug, to the high rate of insurance, to the hostilities against the Dutch and to a great proportion of the ships and capital usually employed in the eastern trade having been otherwise engaged in consequence of the company's late orders for taking up tonnage in this country"<sup>1</sup>. The decline in opium trade had already been a cause of worry to the Court of Directors, because of the bad quality supplied by the contractor and the inferiority of its price in the foreign markets. The Bengal Government were directed to consider whether the "system of Agency for the provision of opium"<sup>2</sup> was preferable to contract. In their letter of the 15th of May, 1799, the Court of Directors tried to impress upon the Governor General in Council the necessity of maintaining the quantity of the drug and restoring "its lost credit in the Eastern Markets". They also approved of the Governor General's desire to discontinue the provision of Bengal opium.<sup>3</sup>

The Regulation for introducing an agency system instead of contracts came into force on July 11, 1799. In the preamble to Regulation VI of 1799, it was stated that

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1. Separate Revenue Letter to Court, March 7, 1796, para 2.
  2. Separate Revenue letter from Court, April 6, 1796, para 1.
  3. Ibid., May 15, 1799, para 19.



the "revenue arising from opium having considerably declined during the latter years of the late contracts for the provision of the article, the Governor General in Council, with a view to restoring and improving this important <sup>branch</sup> ~~branch~~ of the public resources, resolved that opium should, in future, be provided by an agency<sup>1</sup>" and the following rules were framed for securing to Government all the opium produced in the province of Banares, preventing the agents from compelling the ryot to cultivate the poppy or committing oppression or injustice, ensuring the ryot who voluntarily agreed into engagements for the cultivation of the poppy, guarding the agents against fraud on the part of the cultivators and punishing persons engaged in illicit trade for cultivation of the poppy.

The cultivation of poppy in the province of Bengal, Bihar and Banaras was prohibited except on the account of the Government or with the prior sanction of the Government.

The agents were to make settlement with the cultivators who preferred to the cultivation of poppy before making any advance required at the initial stage of cultivation. In this settlement, the rate per seer in sicca rupees, as well as the weight of the seer according to the number of sicca weight peculiar to the seer of each pargana, was to be specified on completion of such settlement. A copy and a translation thereof was to be sent to the Board of Trade

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1. Bengal Regulations, I, Appendix, pp. 402-404.

for their consideration. After the agreements were approved by the Board of Trade, the advances were to be given to the cultivators agreeable to the prices stated therein. The copies of the settlement were exhibited in the court rooms of the judges within whose jurisdiction poppy was cultivated. The price settled for each pargana was to be published by the agent of the pargana to which it concerned.

The agent or a person deputed by him, at the time of sowing the poppy, was to take engagement from the cultivator for the specific number of bighas agreed to be cultivated. The cultivator was bound to cultivate those bighas otherwise he was liable to a penalty of three times the amount advanced on each bigha and proportionately for any part of bigha not so cultivated. When poppy was full grown, the agent was to depute a person to proceed in the field to form an estimate of the produce in consultation with two or three creditable cultivators. Whereupon the grower was to enter into an engagement to deliver that quantity and should the field produce more, to deliver that also <sup>pro</sup> pro rata.

It was left to the option of every cultivator to enter into engagement to cultivate or to decline it altogether.

The agency system proved advantageous. The first sale of opium provided by agency took place on the 20th and the 21st of December, 1798, when the average selling prices went higher than those at the most productive sale in the past year; the Banaras opium was sold higher by Rs.25 per

<sup>1</sup>  
chest. The result of second sale which took place on 18th and 19th of February, 1799 was even better. The letter from the Court of Directors dated June 11, 1800, expressed their satisfaction at the "very favourable state of opium sales" and considered that the "improved quality of the drug and the increasing price which it experiences at your sales have very fully established the superiority of the present agency system over that of contract".<sup>2</sup> The Governor General's letter of the 2nd September, 1800, expressed a hope "that a continuance of the same efficient and intelligent control, which had been exercised since the system of agency was adopted, will render this branch of your revenue equally, if not more,<sup>3</sup> productive in future".

The Company now began to deal directly with opium manufacturers through their own servants. The agency system too produced certain abuses. The opium cultivators were still oppressed by the Company's people in various ways.

The Regulation of 1799, modified to some extent in 1807, prohibited cultivation of opium outside Bihar and Banaras. This caused clandestine manufacture, much smuggling and secret trade in opium in different parts of the country. It was not an easy task for the Company's Government to prevent this. *u*.

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1. Separate Revenue Letter to Court, Sept. 2, 1799, para 3.
  2. Separate Revenue Letter from Court, June 11, 1800, para 8.
  3. Separate Revenue Letter to Court, Sept. 2, 1800, paras 11-12.

Separate agency was established for Banaras in 1807. The cultivation of opium was limited and ordinarily the production of a year did not exceed 1500 maunds. The output<sup>1</sup> during the three years ending 1811-1812 rose to 200 maunds.

### INDIGO

Indigo cultivation was known in India from times immemorial. From the early years of the 17th century, Indigo was one of the important articles of export from India by the East India Company. But because of the growing production of Indigo in the west Indies, there was a gradual fall, and complete stoppage from 1724, in the demand for Indian Indigo in the British markets. By the middle of the 18th century, its cultivation was given up by the British Colonies in the West Indies and England began to obtain that article from America. The supply was stopped on the outbreak of war of American Independence. This caused a revival in England's demand for Indigo from India, and led to the extensive cultivation as well as large scale manufacture of Indigo in India. The European planters entered into contract with the ~~govt~~<sup>2</sup> and J.T. Prinsep was the sole contractor till 1784.

Gradually the importance of indigo manufacture was realized in various quarters and a large number of adventurers engaged themselves in it.<sup>3</sup> In 1787 Gilchrist, a Surgeon

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1. H.R. Ghosal, Economic Transition in the Bengal Presidency, p.126.
  2. K.K.Datta, Survey of India's Social Life and Economic Conditions in the Eighteenth Century (1707-1813), p.90.
  3. Ibid.

in the ~~service~~ service of the Company and Charters resigned from their ~~appointments~~ appointments and established themselves as Indigo planter~~s~~ near Ghazipur. Before this, Indigo had been cultivated ~~in~~ small quantities by dyers for their own use, and surplus quantity produced was sold at the rates ranging from Rs. 2-4 to Rs. 3 per seer.<sup>1</sup>

Gilchrist had learnt the art of Indigo manufacture during his stay at West Indies. It was not very long before trouble began to take shape and it became evident that clash of interests between planters and the local interests was inevitable.

In 1789 Kasim Beg, mail of Ghazipur, complained to Duncan that Gilchrist and Charters had forced him to give them in farm a considerable extent of land to plant indigo. Duncan directed them to restore the lands of Kasim Beg, but as they pleaded that the restoration would cause their ruin, he did not insist on compliance of his orders. Soon after Messrs. Gilchrist and Charters complained to Duncan that Kasim Beg had given pattas to zamindars on very high jamas. They informed that the revenue which they themselves had stipulated to pay to Kasim Beg proved too high. They stated their loss on this account was Rs. 4552. Kasim Beg on the other hand maintained that Gilchrist and Charters had taken



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Charters claimed should be Rs.2226. On enquiry Duncan found that neither the account of rates due on indigo cultivation furnished by the amir Kasim Beg, nor that submitted by Gilchrist was correct.<sup>1</sup> He calculated that the average rents should be at the rate of 4-12 as per bigha, which was current in 1187 fasli (1779-1780).<sup>2</sup>

But Gilchrist and Charters were not satisfied with the decision of Duncan. They requested him to reconsider the matter. Duncan forwarded their petition to the Government. On January 27, 1780, the Governor General in Council intimated that the Government orders of the 6th of August, 1788, respecting Gilchrist and Charters were issued upon two suppositions: (i) that they did not hold any land in farm except that were planted with Indigo and (ii) that they had received riyayati pattas for it from the zamindars or renters at the established rates of the pargana.<sup>3</sup> The Government further informed that the allowing of Europeans to hold districts in farm was contrary to the general regulations and directed that Gilchrist and Charters were to be dispossessed of the taluka granted to them in farm by Kasim Beg, if they were still in their possession.<sup>4</sup>

In view of the heavy expenditure incurred by these European planters, and to promote the cultivation and

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manufacture of Indigo in the province of Banaras, it was thought necessary to frame certain regulations, for the benefit of the Company as well as the country. On January 27, 1790, the Government allowed the European planters to hold the lands on rivayat patta and continue their manufacture and make advances to such ryot<sup>1</sup> as were willing to cultivate and supply them with indigo. The rates of indigo<sup>2</sup> lands were to be fixed as prevalent in Bihar.

Duncan forwarded a copy of the Government order to Gilchrist and Charters with an intimation that he was ready<sup>3</sup> to carry them out in a manner least disagreeable to them. He suggested them to "relinquish their farm voluntarily as his any order to the amil to deprive them of their farms would tend to prejudice their credit in the eyes of the natives"<sup>4</sup>. Gilchrist and Charters accepted the suggestions of Duncan and wrote a letter to the amil of Ghazipur for relinquishing their farms.

"As since the day we committed the villages which were under us to you, we have experienced great relief and quiet — on this account we now write, that you may keep

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1. Ibid., Jan. 27, 1790, p.518.

2. Ibid., p.519.

3. Ibid.

4. Shakespeare, op.cit., vol. II, p.187.

the villages in question under your own collection, continuing to us in every respect your due assistance in our indigo business and works, and we request you will transmit this letter to the Resident Mr. Duncan, and gratify us by your answer".<sup>1</sup>

The aml forwarded the above letter to Duncan, who directed him to assist them in matters relating to the cultivation of Indigo and carry on the planting of Indigo by taking pattas from the village zamindars, or by making advances to the ryot, in whatever manner those, who paid the revenue and the ryot might prefer.<sup>2</sup>

After Gilchrist and Charters, several other European planters settled in the province. Most of them seemed to have managed their affairs with tact and discretion, but those in Ghazipur district were notable for the frequency of their disputes with the Indians. One gentleman, in particular Mr. Pugh, settled on the borders of the Lakhnesar pargana, had the most violent disputes with the zamindar of Bengarh, in consequence of his having acquired a large portion of land which they had been in the habit of cultivation.<sup>3</sup> Similar disputes were very common in Ghazipur district.<sup>4</sup>

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1. Ibid., p.188.

2. B.R.C., Feb. 18, 1790, pp. 223-234.

3. Oldham, op.cit., vol. II, p.210.

4. B.R.C., March 9, 1794, p.160.

In view of such disputes, the Governor General in Council, passed on the 7th of March, 1794, a regulation that no Europeans should be allowed to acquire any landed property in Banaras, excepting what might be sufficient for the erection of houses or buildings for carrying on manufactures, nor should they be competent to hold for greater extent of land upon lease than might be sufficient for the same purpose.<sup>1</sup> As the above order materially affected the interest of the Indigo planters, they presented a petition to Duncan and requested him to forward it to the Governor General in Council with his comments.<sup>2</sup>

Since it became an object of immediate investigation into the actual state of affairs, Duncan issued a circular on April 19, 1799, to the ganungos of about 40 parganas asking them to furnish him within ten days "the former and present state as well as concerning the future prospects of the cultivation of Indigo, so as to form a judgment in what manner it may be best conducted in consistence with the goodwill of the runt".<sup>3</sup> On the basis of above datas, Duncan submitted a report to the Government on May 10, 1794, containing several proposals to be included in the articles of the Regulation. Duncan was of opinion that the cultivation of Indigo not only contributed to the improvement of the country but also brought waste lands

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1. Oldham, op.cit.

2. Ibid.

3. B.R.C., May 1794, pp.97-129. (Progs. of April 19, 1794).

into cultivation and provided employment to the helpless ploughmen, wooders and labourers, etc. In spite of several disputes and hatred of the middle and superior classes of Indian cultivators towards the European settlers, which subsisted on account of political, religious or any other causes, Duncan was convinced ~~as~~ that at least in few instances, the Indigo cultivation had proved beneficial to the people and whether from the higher premium given by Europeans for the hire or rent of the land holders' grounds, or from the personal distress of some of the latter, or prompted by the family dissension among joint partners in the same estates; or from other causes and motives, it was certain that several smils and zamindars or farmers of villages appeared to have since been induced, not only to let out spots of ground for tillage within their tenures, and estates to English gentlemen, but in some instances they had offered, and actually conceded to them, in fact, the revenue concerned<sup>1</sup> and the consequent management of the entire village. Duncan was quite conscious of the evils that had sprung from the growth and manufacture of the Indigo but he ascribed "These more to abuse than to the fair use of the original permission to cultivate and may therefore still perhaps admit of amendment without tearing up the institution by roots"<sup>2</sup>.

According to Duncan the principal abuses were: the injury done to the ryot by obliging them to remove their

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1. Ibid., p.179.

2. Ibid., pp. 180-181.



houses or seek other grounds for cultivation and occasional use of forces by the servants of the European planters either for pressing labourers, or forcibly stopping bhoosa (straw) wanted for their cattle, as it was being brought to the market or in cutting down trees required for their manufactures without the consent of the owners, or even, in some instances, without paying them a fair price for the timber.<sup>1</sup>

With a view to providing some immediate remedy against these hardships, Duncan proposed some rules and submitted them to the Government for approval. He recommended that no land was validly assignable by any amil, zamindar or farmer for the cultivation of Indigo to any natural born British subject or other European without the prior sanction of the Resident. The Resident was strictly prohibited from issuing such sanction until the party desirous of acquiring such land produced deeds of razinama<sup>h</sup> (agreement) from the khudkasht and occupancy tenants that they were satisfied and content that the field in question was cultivated with Indigo.<sup>2</sup>

The servant or other person in the service of the European planters unduly seizing the bhoosa (straw) or other property of the ryot was liable to trial in the faujdari adalat. The servants of the planters were liable for punishment if they attempted "to press into or forcibly

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1. Ibid., p.182.

2. Ibid., p.183.

carried away for their masters' service, any artificers, workmen or labourers"<sup>1</sup>. When the European planters were desirous of purchasing trees, they were to apply for that purpose to the amil of the Mistrict who was required to furnish the desired timber at a reasonable rate.<sup>2</sup>

With a view to rendering greater facility of enquiring into and settling the frequent and various complaints in respect of indigo cultivation, Duncan recommended that the planters should engage well informed yakils in the Resident's kacheheri competent enough to answer all questions.<sup>3</sup>

After considering the petition of the European planters and Duncan's above suggestions, the Governor General in Council passed certain resolution on May 23, 1794, regarding the cultivation of Indigo and directed the Resident to afford every encouragement to the Indigo planters to form contract with the ryot for Indigo by the bigha or bundle and informed Mahendi Ali Khan that he would not be permitted to avail himself of his official position as an amil to compell ryot or any other individual to plough or to exercise any undue authority.<sup>4</sup>

It was also intimated that it would afford the Government much satisfaction if the ryot would be induced

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1. Ibid., pp. 184-185.

2. Ibid., pp. 186-187.

3. Ibid., June 1794, p.239.

4. Ibid., May 23, 1794, p.325 (available on the Proceedings of June, 1794).

to undertake the cultivation of the plant and deliver to the manufacturers in the manner as practised in Bengal. European planters were required to pay advances for initial expenditure.<sup>1</sup> The planters were, likewise, informed that as enough time was allowed to them to close their concerns, or to make arrangements for procuring the produce by contract with the ryot, they would have no claim upon the Government hereafter either for the postponement of the operation of the Regulations or for any further indulgence whatsoever.<sup>2</sup>

In addition to the above suggestions of Duncan, the Government framed the following regulations:-

1) That all existing leases of lands for the purpose of cultivating Indigo, actual and bonafide, obtained before the 7th of March, 1794, by any European would be allowed to remain in force until they expired, provided the term of the office did not extend beyond the period of the decennial settlement.<sup>3</sup>

2) That all leases obtained directly or indirectly by Europeans, either in their own names or those of others, since the 7th of March, 1794, would be declared null and void, and that the lessees be immediately dispossessed.<sup>4</sup>

3) After expiration of the last year of the decennial settlement, no Europeans would be permitted to rent or

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1. Ibid.

2. Ibid.

3. Ibid., June 1799, p.333.

4. Ibid., pp. 333-334.

hold any land, directly or indirectly, either in his own name or in that of others. This rule was not to extend to land, not exceeding 50 bighas, which Europeans were permitted to purchase or rent for the purpose of erecting dwelling houses or buildings for carrying on manufactures; provided they had previously obtained the sanction of the Governor General in Council through the Resident to purchase or rent the land.<sup>1</sup>

It appears that the Government were not opposed to the manufacture of Indigo by European planters but they favoured the system of contract to reduce the interference of the planters or their agents with the cultivators and minimize the chances of disputes between the revenue authorities and the planters. Every European Indigo planter was required to sign and adhere to the above regulations. He was to be fined Rs.500/- for the first breach of the above regulations and on the second they were to be sent to Calcutta.<sup>2</sup> It is worth mentioning here that by this time decennial settlement was declared perpetual and the period specified for planters to surrender their lands according to the Government Regulations never materialized and the European planters continued to hold land in Banaras.

On the July 12, 1794, the Resident issued the Circular notification announcing the conditions on which European

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1. Ibid., p. 334.

2. Ibid., p. 337.

planters could contract with the pattadars of the Government<sup>1</sup> in raising Indigo for their manufacture.

It was stated in the above notification that only the pattadar of the Government (mail in mani ground) was competent to make such contracts with the Englishmen.<sup>2</sup> The pattadar of the Government was not competent to let the grounds of chapperband (or settled) ryot for the purpose of Indigo cultivation without obtaining their consent.<sup>3</sup> No khandkasi or paykasht ryot were competent to contract with European manufacturers for the cultivation of Indigo in the grounds even for their own cultivation, without the consent of the pattadars of the Government.<sup>4</sup>

The European planters made a representation to Duncan that they had been prohibited by the last mentioned order from contracting with the ryot or pattadars (inferior partners) of the Government pattadars. As such it had become a severe check and put them to hardships. Duncan had to amend the terms and he reported to the Government on July 29, 1794, that he had permitted the planters to conclude contracts without the consent of pattadars either with channarband ryot or with such of the pattidars whose pattis (shares) or portion of tanure had been divided off

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1. Ibid., July 12, 1794, p.121.

2. Ibid., p.122.

3. Ibid.

4. Ibid.



and were distinct and separate from the <sup>a</sup>pattidar's own immediate cultivation. It was also provided that the Indigo crops on such grounds would at all times be considered as a collateral security to the pattadars for the rent of the ground that was justly due to him from the contracting pattidar<sup>i</sup> or ryot<sup>1</sup>.

On June 21, 1795, the Resident transmitted to the Government some additional sections which were incorporated in the Regulation XXXIII of 1795. He suggested that no Europeans planters should be allowed to establish works or vats too near to each other. No Europeans were competent to contract with any person for raising Indigo <sup>in</sup> and the fields, the proprietary rights of which were disputable or in litigation. No European either in his own name or in that of his Indian servant or directly or indirectly should be concerned in, or connected with the farming or renting of revenue, or of free land either as principal or collector or security or counter security or in other shape or under any description, repugnant to the tenor of the present regulation.<sup>2</sup>

On July 12, 1795, the Resident also suggested to the Government that European planters should be prohibited from making advances of money in the way of loans to the ryot or on the plea of being for Indigo contract to be entered

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2. Ibid., pp. 191-195.

2. Ibid., June 21, 1795, p.175.

on a subsequent date, because such practice tempted the zamindars, pattidars and farmers and deprived them of their grounds and tended to excite feuds and competitions among the pattidars holding under the same patta, of which sundry instances had occurred.<sup>1</sup> The above suggestions of the Resident were accepted and incorporated in the regulation XXIII of 1795.

Thus the trouble and anxiety in which Duncan had been involved relating to the article of Indigo had come to an end.

In 1797 a duty of 15% was levied on all Indigo imported into Banaras from Nawab Wazir's country. The collector of the customs of Banaras was to forward a monthly statement of the foreign Indigo imported into the province of Banaras.<sup>2</sup>

The few steps that the Company's Government took to restrain the Indigo planters proved hopelessly ineffective. Some Indian employees of the Indigo planters had amassed huge fortune through various clandestine practices. But the Indigo industry was not in any way conducive to the economic interests of the common people. It was, however, a source of economic gain for England.

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1. Ibid., July 12, 1795, p.131.

2. Bengal Regulations, I, Appendix, p.372.

## SALT

The salt consumed in the province of Banaras was brought from Sambhar, in the territories of the Rajas of Jaynagar and Jodhpur. The average price in Banaras was about Rs. 4-8-0 per maund. Its consumption was, however, confined to the middle classes. The salt consumed by the poor people was called babsha<sup>1</sup>. It was manufactured in Garwara, Rari, Singramow, Zafarabad and Gopalpur. The yearly production was about 70,000 maunds, of which Mungra alone yielded 40,000. Its superior quality was sold at the rate of Rs. 2-8-0 per maund, the second from 1-8-0 to 1-4-0 per maund and the third and worst at rupee 1-0-0 per maund. The superior quality was consumed in the districts of Banaras and Jaunpur, while the other qualities were exported into the territories of the Nawab Wazir.

In 1790 the Salt Mahal in Jaunpur was formed, a separate mahal and leased out to Sheo Lal Dubey from 1196 fasli (1788-1789) at Rs. 18,000 per annum for a period of five years.<sup>2</sup>

The import of the following kinds of salts into the province of Banaras was also permissible under clause 6, Section 4, Regulation VI of 1801. These were Saulamba, Balumba, Kasia, Nela, Namah, Geolia, Punt, Sochar and

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1. B.R.C., Aug. 24, 1787, p. 163.

2. Ghazipur Correspondence, Nov. 25, 1796, vol. No. 118, pp. 72-73.

Lahore. The duty charged on them under the above Regulation was at the rate of one sicca rupee per maund of eighty sicca weight to the seer,<sup>1</sup> while on saulamba and balumba the duty was charged at the rate of Rs.2-4-0 per maund (eighty sicca weight to the seer).<sup>2</sup>

As a result of imposition of duty, the import of saulamba and balumba salt had ceased and the quality of sambhar salt also decreased.<sup>3</sup> But the price of these had arisen in the market by more than 80%. Before enforcement of the regulation, the sambhar salt was sold at 9½ seers for a rupee and balumba salt 19 seers for a rupee but after the enforcement of the Regulation the sambhar salt began to be sold at the rate of 5 seers for a rupee and balumba<sup>4</sup> 10 seers for a rupee.

The manufacture of salt was also prohibited in the province of Banaras under Section 6, Regulation VI of 1801, except on account of the Government and with their express sanction. For the contravention of this order a fine of five thousand rupees<sup>5</sup> was imposed.

In consequence of this Regulation, the salt trade suffered a set back. A large number of people who were

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1. Bengal Regulations, I, Appendix, p.487.
  2. Ibid., p.488.
  3. B.R.C., Nov. 19, 1802, p.203.
  4. Ibid., Oct. 12, 1802, p.198.
  5. Bengal Regulations, I, Appendix, p.488.

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5. Bengal Regulations, I, Appendix, p.488.



employed in salt trade were thrown out of the employment and migrated to the neighbouring parganas of Belhara and Bilkaur<sup>1</sup> of the Nawab Wazir's Province, where they engaged themselves in the illicit trade of salt. The smuggling of salt from Belhara and Bilkaur into the province of Banaras became a regular feature.<sup>1</sup>

With a view to effectually putting a stop to the illegal manufacture, importation and sale of salt, it became the duty of the magistrate, police officers and the collectors<sup>2</sup> of the land revenues and customs under Section 9, Regulation VI of 1801 to assist in the suppression of the illicit trade.<sup>2</sup>

Under Section 9, Regulation VI of 1801, all persons in charge of salt were required to keep their rawannah with the salt. If the owner or person, in charge of the salt which had been attached, did not prove that he was in possession of a proper rawannah, his salt was liable to be confiscated.<sup>3</sup> The superintendent of salt chowkies and agents were also appointed for the seizure of salt illegally imported, manufactured, sold or transported under Section 11, Regulation VI of 1801.

Under Section 14, Regulation VI of 1801, the salt agents and superintendents of the salt chowkies were entitled

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1. B.R.C., Oct. 12, 1802, p.199.

2. Bengal Regulations, I, Appendix, pp. 490-491.

3. Ibid., p.490.

to a reward of thirty five per cent on the value of all salt which was attached and confiscated by their respective orders. The value of salt was to be estimated according to the price at which the salt of the division or district in which the confiscated salt might be ascertained or supposed to have been manufactured.<sup>1</sup>

Under Section 27, Regulation VI of 1801, the darogas were appointed for the salt chowries. They were required to furnish two securities each of the value of a sum of one thousand sicca rupees before entering upon the execution of the duties of their offices. They were also liable for conviction or removal from the office and for forfeiture of the amount of their securities in case of their connivance at smuggling under Section 28, Regulation VI of 1801.

### S\_A\_L\_T\_P\_E\_T\_R\_E

The chief use of saltpetre was as an ingredient for the manufacture of gun powder and so it was in great demand among the European nations during their wars in the 18th century.

This was manufactured in pargana Bara near Choussa at Kiyuli, a town about ten miles from Banaras and at Rewati in the district of Ghazipur. The yearly production was about 20,000 maunds. It was sold at the rate of Rs. 2-12-0 per maund.<sup>2</sup> A duty of 2½% was collected when the saltpetre was

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1. Ibid., p. 493.

2. B.R.C., Aug. 24, 1787, p. 171.

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imposed into the province of Banaras from the Nawab  
Wasir's territory. This rate was although below the  
previous rates of the customs house, yet in conformity  
with the past commercial treaty.<sup>1</sup>

S I L K

The ancient city of Banaras had been famous from  
early times for its beautiful brocade and of ~~massaner~~  
fabrics. During the Mughal period it continued to be  
famous for the manufacture of karabanda, turban cloths  
and other garments particularly for women. The French  
physician, Francis Bernier, who visited India in the  
closing years of Shahjahan's reign and stayed in the  
country several years, wrote about Banaras, "Large halls  
are seen in many places called, kar-kanava or workshops  
for the artisans. In one hall the embroiderers are busily  
employed, superintended by a master. In another you see  
the goldsmith, in a third painters: in a fourth varnishers  
in lacquer work; in a fifth joiners, turners, tailors  
and shoe-makers and in a sixth manufacturers of silk,  
brocade and those fine muslins of which are made turbans,  
girdles with golden flowers, and drawers worn by the  
females, so delicately fine as frequently to wear out  
in one night".<sup>2</sup>

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1. Ibid., Jan. 20, 1790, p.529.

2. F.Bernier, Travels in the Mughal Empire (1656-1668),  
pp. 258-259.

With growing decline of Mughal political authority, these karkhanas gradually disappeared. The sale of goods by the weavers for ready money was mostly prevalent. The trade was conducted by the merchants without any interference on the part of the Government. The price of the goods was decided on the mercantile principles, when brought from the factory, by the dalals or middle man of the aurang who acted as mediators between the purchasers and weavers, for which they received a commission from the former.<sup>1</sup> These dalals promoted trade by bringing the merchants and manufacturers together, who derived much benefit from their intervention. In 1786 these dalals got dadni or advance money from the agent of the factories to the proportion of half or three fourths of the estimated value of the cloths for giving advances to the weavers, merchants and manufacturers.<sup>2</sup> The practice of receiving advances by the weavers fostered dependence on others and its effect was loss of incentive for good work.

The mint of Banaras served as a link between the manufacturers of gold and silver wire and thread, and the weavers of rich cloths and embroideries. G.H. Barlow in his report on the trade and coinage system in the province of Banaras had stated, "A connexion has always subsisted between the mint and the manufacturers of gold and silver

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1. Ghazipur Correspondence, Aug. 27, 1787, vol No. 86, p.15.

2. Ibid., p.11.

wire and thread, and the weavers of rich cloths and embroïderies made at Benares, on which the prosperity of the trade in these articles appears so much to depend that, in the event of the abolition of the mint, the manufacturers might require some similar establishment to supply its place".<sup>1</sup>

The centres of silk industries were spread over different areas of Banaras district. It was famous for its kanakwah, brocades, gold and silver, tissues, satins, silk gueze, and numerous fabrics known by their patterns as gulbadan and charkhana. It was no exaggeration for Macaulay to write, "From the looms of Benares went forth the most delicate silk that adorned the balls of St. James and of the Petit Trianon, and in the bazars, the muslins of Bengal and Sabres of oude were mingled with the Jewels of Golconda and the shawls of Casmir".<sup>2</sup>

The main industry, for which Banaras is famous, was the manufacture of kalabatun,<sup>3</sup> which was in great demand for kanakwah. There was also a large amount of zardagi<sup>4</sup> work of considerable merit, both in execution and design.

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1. E. Thurston, History of the East India Company's Coinage, J.A.S.B., vol. LXII, part I, 1893, p.55.

2. T.B. Macaulay, Essays on Warren Hastings, p.55.

3. Kalabatun: The gold thread was used in all classes of kanakwah and zardagi work. The thin gold wire called batun, twisted with silk. For silver kalabatun, silver wire and white silk thread are used. This is run or runshi kalabatun and gold kalabatun, sona or sonahali kalabatun.

4. Zardagi: It is worked on satin cloth and derives its name from the hol flower. Its design is floral. It is generally done on a ground of velvet, and is used as shoulder straps, sleeves trimming.



Hence the wire work in all its forms was carried on here and was of the best quality. The salma<sup>1</sup>, for example, produced in Banaras was used even by the Agra merchants, who preferred it to the salma locally produced at Agra. It was said that the salma of Banaras was second to none<sup>2</sup> produced in India.

### CHINTZ

The excellent chintz were manufactured in the province of Banaras. Ward writes, "The making of chintz appears, to be an original art in India, long since invented, and brought to so great a pitch of excellence that the ingenuity of artists in Europe has hitherto added little improvement but in the superior <sup>3</sup> elegance of the patterns".

### COTTON

The khasas were manufactured in Kasimabad, Gangoli, Haveli, Ghazipur, Zamaniah and Rasara in the sarkar of Ghazipur; the garahs in Ballia; isartia in Muhammedabad and the malmals in Jaunpur. The cotton goods manufactured in Banaras were fine muslins known as tanzeb, which were either plain or adorned with stripes and flower pattern. Cotton dyeing was widely practiced and cotton prints produced to a considerable extent in Lehta and Pargana Dehatma-<sup>4</sup>nat were of high order.

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1. Salma: It is wire curled in a spiral form. It is of several varieties, varying in appearance and thickness. The work of salma was chiefly confined to pardahnashin women.

2. C. W. Gwynne, Monography on the Manufacture of wire and Tinsel in U. P., p. 7.

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  3. Ward, History etc. of the Hindoos, vol. I, p.96.
  4. B.R.C., Aug. 27, 1787, p.42.

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  2. C. W. Gwynne, Monography on the Manufacture of wire and Tinsel in U.P., p. 7.

The cotton goods manufactured in Banaras amounted to seven lakh of rupees a year. A considerable part of these goods was consumed in the district of Banaras and surplus was exported to Calcutta.<sup>1</sup> The Government obliged the weavers to receive the advances and purchased all the price goods with a capital drawn from the revenues of the country. A statement of piece goods exported to Calcutta mostly consisted of the above types of cloths, details of which are given below:<sup>2</sup>

(Trisuli Sanwat rupees of Ghazipur were equivalent to Banares sicca rupees)

| C l o t h  | Price un-<br>washed per<br>Corge | Charges | Total  |
|--|----------------------------------|---------|--------|
| <u>Khasas</u> as also called<br><u>baftas</u> 36' x 2' | 87-8-0                           | 8       | 95-8-0 |
| <u>Gharahas</u> , 36' x 2'                             | 67-8-0                           | 7       | 74-8-0 |
| <u>Imartia</u> , 28' x $\frac{1}{2}$ '                 | 60-0-0                           | 6       | 66-0-0 |
| <u>Lakhowries</u> 28' x 2'                             | 46-8-0                           | 5       | 52-8-0 |

The Company's cloth investment was also introduced in Banaras.<sup>3</sup> In order to make the intentions of the Government known to merchants, samples of different cloths with the rates at which they would be received at Calcutta, were displayed at the customs houses of Banaras, Ghazipur, Jaunpur

1. Ibid, P. 43.

2. Shakespeare, op.cit., II, p.22.

3. B.R.C., Aug. 27, 1787, pp. 41-42.

and Mirzapur for the information of the merchants. The prospect of an immediate sale and ready money induced the merchants to sell their goods to the Company in preference to individuals. The Government procured their investment at the lowest price without risking advances subjecting them-<sup>1</sup>selves to the loss of interest on the money advanced.

A duty of 5% was levied on the cloths at the first market where they were sold and it was stamped with the seal of the station which exempted it from any further duty or<sup>2</sup> demands.

Cotton used in the manufactures in the province of Banaras was mostly brought from the territories on the Southern banks of the Jamuna, where it was produced in abundance and nearly equal in quality to what was called<sup>3</sup> Surat Cotton. It was also imported from Deccan. The quantity imported was Mds. 120576-17- $\frac{1}{4}$  for Rs. 11,66,149-7-0. The Nagpur cotton was highest in estimation in comparison<sup>4</sup> to that brought from Jablone and Ahmednagar.

#### M\_E\_T\_A\_L

The work in the precious metal was not confined to wire drawing of gold and silver. There were many gold and silver smiths in the city of Banaras who turned out the

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1. Ibid.

2. Ibid., p. 43.

3. Ibid.

4. Ibid., pp. 41-42.



silver ware and jewellery of high order. Silver howadas, chairs, palanquins, tonzons, etc. were made and were subsequently upholstered with brocade and velvet embroidery. The Sanvasi merchants carried on a very considerable trade to Nepal in the piece goods of Bengal and in return of which they imported gold bullion annually worth rupees four or five lakh. A duty was levied on this gold and the office for collecting in duties on gold was called sona <sup>1</sup> mahal. This office was established by Raja Balwant Singh.

#### B\_R\_A\_S\_S

Chief centres of brass industries were Banaras and Mirzapur. The owners of Brass industries were either rich haniyas or kaseras who supplied the workers, with materials and tools. The raw materials were generally imported and the alloys made on the spot. The brass goods produced at Banaras were of an ornamental type. The three principal varieties of brassworks manufactured were <sup>the</sup> ~~two~~ idols and other figures, the engraving of trays, salvers, candle sticks, etc., and ubhar ka kam (raised or relief work on trays and others fancy articles).

The articles manufactured were trays, finished trays, Ganga Jamuna trays, fine work trays, rukha work trays, bowls, poona shaped bowls, flower bases, surahis, jugs, candle stands, peacock, ghantas, tesla, lotas and other articles of domestic use.

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1. Ibid., p.39.

The brass and phul or bell metal (composed of four parts of copper and one part of pewter, kansa; which is a mixture of copper and zinc in equal proportion) industries of Mirzapur were also famous. They manufactured all kinds domestic utensils, specially lota and butlohi from old materials. No white metal work was done in Mirzapur.<sup>1</sup>

### P\_E\_R\_F\_U\_M\_E

Ghazipur was principal centre of perfume industry. Rose water was manufactured here in large quantities. Roses were cultivated all round the town by ordinary cultivators who took advances from the manufacturers. The roses were gathered between the beginning of March and middle of April. They were always sold by numbers. The rose water manufactured here was cheaper and superior in quality. The price of a seer of weight of 2 lbs (a large quart) of the best being eight annas or a shilling.

Ikra was obtained after the rose water was made by setting it out during the night and till sunrise in the morning, in large open vessels exposed to the air, and the skimming off the essential oil which floated at the top. The rose water, which was thus skimmed, fetched a lower price than that of which was warranted with its cream entire. To produce one rupee of ikra about 2000 well grown roses were required.<sup>2</sup> in 1824.

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1. G.R. Dampier, A Monograph on the Brass and Copper Wares of the N.W.P. and Oudh, pp.32-33 (1894).
  2. R. Heber, A Narrative of Journey through the Upper Provinces of India, vol. I, p.266.

KERRA WATER (SCREWPINE) was manufactured mostly in Jaunpur. D.H. Olper mentions, "This perfume is much sought after by European distillers, but the sample of oil placed in the market are usually obtained by steeping the blossoms in Sesame oil, which destroys all the honey like character of the true adour"<sup>1</sup>.

For the perfumed oil industry of Jaunpur, chameli and bela were cultivated in much the same way as roses.

The manufacture of perfumes is said to have been introduced from Persia in the days of the Sharqi Sultans. The principal scents were those obtained from the flowers of the jasmine, rose and keora or screwpine, and the roots of the khas khas grass (andropogon muricala). The varieties of jasmine, known as bela and chameli were cultivated in abundance in and around the city, as was also screwpine<sup>2</sup> but roses were scarce and imported from Ghazipur.

The produce of Ghazipur and Jaunpur were mostly sold in Bengal, Bihar and little found its way to Punjab and Rajaputana.

#### WOODEN TOYS

The chief centres of these industries were Alaipur, Telianala, Ramapura, Bhelupura, Kutuapur and Khojawa. The wood used was white and soft one, known as korva obtained from Ahraura, Palamow and Ghainpur Bhagwa. The dyes used

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- <sup>1</sup> D. H. Olper  
1. Olper, Paper on Indian Essential Oils, P.C.I.C., 1906.  
2. Jaunpurnamah, p.4.

were made by mixing together lac and dyes.<sup>1</sup>

### T\_A\_R\_I\_F\_F

The province of Banaras was centrally situated between the different trading centres of India, and this contributed to a great deal to its prosperity. The major part of the trade carried on between the Company's provinces and the internal part of India passed through the province of Banaras. The provinces which carried on trade were Bengal, Bihar, Western Provinces, Deccan and North Western Provinces. The town of Mirzapur was once considered as the common market to which the merchants of the Deccan, Western Provinces and Nepal resorted for the sale of their commodities and purchase of manufactures of Bengal and the products of the northern countries of Nepal and Tibet.<sup>2</sup> The import chiefly consisted of cotton, salt and other cheap and bulky commodities. Their exports were usually silk, spices, broad clothes and other articles, comprising a great value in a small space. The means of transport, which were utilized for bringing imports, were also used in carrying the exports. The differences between the value of the one and the other formed a balance of trade in favour of this country, which the merchants were necessarily obliged to supply by bringing along with them silver and gold. The benefit of this trade was not only confined

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1. H.C. Chatterjee, Notes on Industries in U.P., pp.38-39.

2. SAUP Resident's Correspondence, Aug. 24, 1787, pp.33-35.

to the place where it was carried on but also Bengal, which supplied the major part of the articles for <sup>exports</sup> example, enjoyed its full returns and its manufacturers found in it ample employment for their industry. Balwant Singh fully understood the importance of this trade and it flourished under his protection. His son, Chait Singh, more attentive to the gratification of his dependents than the interest of his country, connived at the oppressions which deterred the merchants from following their usual pursuits. In consequence, in 1781, the trade of Mirzapur greatly decayed.

Before 1773 the customs on export, imports and transit were in general collected on the weight of goods. In the year 1773, Hastings exempted some of the articles from this mode of collection. But this arrangement remained in force until the 2nd of November, 1781, when it was ordered that chowkis or the customs houses for the collection of duties should be established at three places only, viz., Banaras, Ghazipur and Mirzapur where the duties were directed to be levied on all goods at the rate of 5% according to the valuation prescribed in the Book of Rates.<sup>1</sup>

But these rules were scarcely enforced. The duties were raised higher and higher by arbitrary consideration and the merchants were exposed to severe vexations from the multiplication of chowkis or custom<sup>2</sup> houses separately collecting duties in every part of the province.

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1. See. Sel. Com., Nov. 23, 1784, p. 1117.

2. Bengal Regulations, I, Appendix, p. 217.



By an order of the 8th of April, 1782, the duty was to be reduced to 2½% on various imported articles like spices, raw-silk and metals, and by an amended Regulation for the customs framed by the Government on the 21st October, 1784, this rate was ordered to be extended to silk and silk piece goods. Some alterations were, likewise, made at this period in the Book of Rates, and all exactions, under the denomination of toll or duty, were abolished.

It was also ordered that no part of the collections in the department of the customs was to be farmed <sup>out</sup> ~~one~~, and <sup>1</sup> duty on empty boats was prohibited. The major part of the Regulations of 1784 was not properly or wholly adhered to like the Regulations of 1781. The inland customs house stations continued under the denomination of choora, equally numerous as before, and many of them were farmed out agreeably to the former practices. Other interior tolls, likewise, continued to be levied by the land holders and farmers at the subordinate customs house stations throughout the country and the prohibition to the collection of double duties at Mirzapur and the exactions on the empty boats were altogether disregarded. The order for levying a duty of 2½% on silk was, likewise, disobeyed except the articles of raw-silk imported or exported by the Sanyasi and Iraqi merchants, who, in consequence of the new duties operating as a burden on their trade, discontinued to transport their goods by way of Banaras.<sup>2</sup>

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1. Ibid., p.218.

2. Ibid.

On consideration of these circumstances, the Governor General directed G.H. Barlow to enquire into the causes of the decline of trade and suggest remedies to afford greater security to the merchants trading between Banaras and Company's dominions. Barlow examined the position in detail and made a number of recommendations for the revival of the trade.<sup>1</sup>

He reported that during Chait Singh's time the duties were collected on bullock load according to the arrangement of 1773. In settling the rates less attention was paid to the value of commodity than to the weight, so that a load of the most valuation<sup>ble</sup> articles of merchandise had to pay a little more than an equal weight of goods of an inferior value.<sup>2</sup> By the Regulation of 1781, the costly goods of Bengal were to be taxed at the rate of 5% more than the rates as entered in the Book of Rates at Banaras. Thus the merchants were charged with a duty of rupees one hundred per bullock-load instead of rupees twenty or twenty-five, the sum which they used to pay previously. This increase of duty was rendered more unsupportable by a variety of oppressive exactions made by the superintendent of customs. The exporters of raw-silk and silk piece goods were the principal sufferers and they either discontinued their trade on these articles or conveyed at a great risk and expense over the southern hills in Bihar by which the export was considerably diminished and the duties lost to the Raja.

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1. Ibid., Aug. 24, 1787, p.35 (G.H. Barlow's Report).

2. Ibid.

Markham, the Resident of Banaras, in consequence of the representation of the merchants, was induced to recommend a reduction of the duties on raw-silk from 5 to 2½%, which was accepted by the Government on March 20, 1782. The Board, being convinced of the propriety of the measures and at the recommendation of Warren Hastings, extended this privilege<sup>1</sup> to the silk piece goods of Bengal also in October, 1784.

It appears that the principles on which this remission was granted had been founded on the best commercial policy, namely, "it was for the interest of a state to encourage the exportation of its manufactures in a greater degree than its raw or unwrought commodities".<sup>2</sup> However, from a perusal of the customs house receipts it is evident that the duties on silk piece goods had still been continued at 5%. The order about raw-silk also had been equally disregarded. All merchants except sanyasia and Irakis still paid the original duty of 5% on the Banaras Book of Rates, nor was the reduction granted to the above class of people until two years after the promulgation of the orders of the Board and even then not in consequence of these orders, but because of the Raja's naib or Deputy, who at last discovered that he suffered a great pecuniary loss from persisting in the disobedience of them.<sup>3</sup>

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1. Ibid., p.36.

2. Sanyasis, a religious sect famous for their wealth and integrity in commercial transactions.

3. B.R.C., Aug. 24, 1787, p.36.

The principal merchants, who traded from Bengal to the Deccan, were called sanyasis. Those who resided in Banaras and Company's dominions, purchased the goods in Bengal and transported them to Mirzapur, where they either sold or delivered them to the merchants of their own sect, who resorted annually for this purpose from the Deccan. But after the establishment of the customs house in 1781, the sanyasi merchants gave up their trade in Banaras declaring that the duty of 5% more than the duty prescribed in the Book of Rates absorbed almost the whole of their profit. In 1784 having suffered great loss and inconvenience from transporting their goods over the hills, they represented their case to Jagat Deo Singh, naib of the Raja, for some remission of the duties. It was accordingly agreed that they should pay 2½% on raw silk and 5% on piece goods calculated on the prices inserted in the Murshidabad rawannah or customs house pass and that the duties on the trade should be collected by a separate daroga or superintendent. The salutary effect of this remission of 2½% on raw silk caused rapid increase in the trade of the sanyasi merchants in the following years. During eight months of the first year in 1191 fasli (1783-84), their exports and imports amounted to Rs. 4,71,166-15-6, of which Rs. 1,75,784<sup>1</sup> was raw silk. In 1192 fasli (1784-85) their export and import amounted to Rs. 9,89,618-12-9 of which Rs. 3,11,941-13-0 was the raw silk. In 1193 fasli (1785-86) their exports and imports increased to Rs. 12,43,112-13-6 of which

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1. Ibid., p. 36A.

was the raw silk

Rs. 4,28,520-14-0<sup>1</sup> and during the 11 months of 1194 fasli (1786-87), the total of their export and imports amounted to Rs. 1,16,14,795-9-6, of which Rs. 7,58,132-4-6 was raw silk.<sup>1</sup>

Besides the above duties of 2½% and 5%, the trade was still burdened with many unauthorized and <sup>impossible</sup> ~~unwise~~ exactions. The double duties were paid at Mirzapur. In order to explain this, it is necessary to observe that the merchants of the Deccan and Bengal seldom went beyond Mirzapur. At this place they met, disposed of their merchandise<sup>5</sup> and returned to their respective provinces. By the 4th article of the Regulation of 1788, the rawannah once granted at either of the customs houses of Ghazipur, Banaras and Mirzapur served to pass the goods from one extremity of the province <sup>to</sup> of the other either by land or water and the customs officials were required to endorse the rawannah and despatch the goods<sup>2</sup> without demanding any duty or fee whatsoever. But in contravention of the Regulation, the officers at Mirzapur collected duty on each bullock, agreeable to the reduced rates of Chait Singh's time from the merchants of the Deccan, who brought their goods to Mirzapur and also they collected the customs house duty of 5% from the merchants of Banaras and Bengal by whom the goods were purchased. Likewise the raw silk piece goods exported from Bengal had to pay the customs duty first at Banaras or Ghazipur and when sold to the merchants of Deccan, they were again taxed with a customs

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2. Ibid., p.37.

2. Ibid., p.37a.



duty on each bullock load at Mirzapur and its subordinate stations of Hullah and Sonagarh.

It appears from a letter of Warren Hastings, dated October 21, 1784, that his Regulations of 1781 had become obsolete. The Regulations of 1784 had met the same fate. The collections on empty boats prohibited by the 11th article were still continued as well as the variety of other fees and exactions. The 10th article respecting cotton, the 9th relating to new rawannah being granted duty free, had experienced the same disregard. The 2nd and most important article, prohibiting the farming of the customs agreeable to the former practices, had also been prevalent, for a number of custom barriers particularly in the sarkar of Banaras, had been annually farmed out. These deviations from the orders of the Government affected all other merchants as well as the anyasis.<sup>1</sup> In the absence of any scientific and uniform measuring standard of ascertaining the price of goods, the fixation of such duties depended on the discretion of the custom officials.

In some cases the merchants were obliged to swear to the price of the goods and in others the duty was collected on the current price of the goods and in few cases upon the weight. The most common method of assessment was by a Book of Rates.<sup>2</sup> But none of these methods was satisfactory. The first was open to serious objections because

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1. Ibid., p. 38.

2. Ibid.

the correct value of the commodity could hardly be known by swearing. The second was left to the discretion of the customs officials who could be dishonest and unjust. The third was "the source of such vexation and oppression to the merchants from the difficulty of ascertaining with precision the value of goods produce in a foreign country and the alterations which arise respecting the denomination under which they are classed"<sup>1</sup>. The increase of duty on valuable commodities in consequence of the changeover to ad valorem duties tempted the officials of the customs houses for a variety of oppressive exactions.<sup>2</sup> One of such exactions was the beyra or weighing fee at the mart of Mirzapur, which was being farmed by the collector of customs there. The other tax was ghardemali and khana <sup>2</sup>sumari, a house tax or a shop tax which the merchants had to pay to the collector of land revenue.<sup>3</sup> Besides these duties, about 400 choora chowkis were established for the collection of the duties on grains and other sundry trifling articles, bought or sold, in the internal parts of the country. The duties charged at each chowki was trifling but it was frequently reported that the total amount collected from the merchants before his goods arrived at the place of destination, became a great burden upon his trade.<sup>4</sup>

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1. Ibid.

2. Shakespeares, op.cit., vol. II, p.49.

3. Ibid., p.50.

4. B.R.C., Aug. 24, 1787, p.25.

The zamindari duties which had been so repeatedly prohibited by the Government were still continued in every part of the district. It was reported that incase the merchants refused to make the payment of some new exactions, their merchandize were confiscated by the zamindars. For instance, the zamindar of Saidpur had seized all the "brass pots and vessels because the merchants refused to submit to the payment of some new exactions"<sup>1</sup>.

The sanyasi merchants were also subject to some other exactions peculiar to themselves. A considerable part of their returns from Nagpur and other countries of the Deccan were made in specie. This was remitted from Banaras to Murshidabad to purchase fresh cargoes of raw silk, piece goods, broad cloth, copper and spices. Two of the merchant brokers, Koshal Chand and Munno Lal, possessed the privilege of negotiating the bills with the Raja for rupees six hundred per annum under the name of the sona mahal for collecting duties on gold. This office was first instituted by Raja Balwant Singh at the solicitation of one Tora Poker. At that time the sanyasia carried on a very considerable trade to Nepal in the piece goods of Bengal and in return for which they annually imported gold gehara to the amount of four or five lakh of rupees. Upon this gold, Tora Poker obtained permission to levy a duty under the pretence of acting as broker for its sale. In the course of a few years, however, the

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1. Ibid., p.39.

broker was converted into a farmer and the various persons rented the duties from the Raja in 1763, when the late Prithvi Narayan, Raja of Gurkha, was called in by the inhabitants of Nepal, to depose Jai Prakash, the Raja of Kathmandoo. Tera Parker confiscated the goods of some of the principal sanyasi merchants, in consequence of which they abandoned the trade in this country. The importation of gold was of course stopped, but the farmers of the duties, by a perversion of the institution of the office, obtained permission to levy tax on all the specie remitted by the sanyasis through the banking houses of Banaras. This mode of levying the tax was oppressive and unprecedented. The bankers were forbidden to grant bills to the sanyasis except through sona mahal. When a sanyasi merchant was desirous of taking up a bill on Murshidabad, he applied to the farmer who settled the exchange privately with the banker and then charged the merchant according to the rate he could oblige him to pay. The merchants expressed their<sup>1</sup> resentment at this imposition and requested its abolition.

1) That the collections made by the sona mahal or gold office should be abolished and that in future they should be permitted to negotiate their bills in the same manner as other merchants.

2) That the order of the Board for the reduction of duties on silk piece goods to 2½% should be enforced.

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1. Ibid., pp. 40-41.

3) That the goods brought from Bengal to be sold after paying the customs house duties at Ghazipur or Banaras should not be subject to a second duty at Mirzapur when sold to the merchants of the Deccan and that the officers of customs at the above place should be enjoined to endorse their rawannahs and despatch their goods without demanding any other fee or duty whatsoever agreeable to the fourth article of the Regulations of 1784.

4) That the unauthorized duty of Rs. 6-4-0 on all boats hired to transport their goods from Mirzapur to Bengal should be abolished.

5) That the duties of 6 annas per bullock collected at Bulliah on goods exported from Mirzapur to Nagpur in Berar should be abolished.

6) That on the weighing of their silk, they were obliged to give five and thirty skeins per bullock to the officers of the customs, such exactions should be abolished.

7) The fee of Rs. 1-4-0 collected on searching their boats should in future be prohibited.

8) That the kotwal or officer of the police of Mirzapur should be enjoined to protect their property from robbers.

9) That the duties on shawl goods brought from Kashmir should be collected according to the rates of the basduk or invoice under the seals of the aratheahs or brokers of Kashmir.



The first eight requests contained nothing more than what the Government had already granted. In regard to the last, Duncan recommended that duties on all shawl goods should be reduced to 2½% but the valuation of goods was to be made in the same manner as was proposed for all articles of a foreign produce. This was suggested in order to encourage the Kashmir trade which had been <sup>declining</sup> ~~dealing~~ for several years due to tyranny and severe exactions.

The oppressive and intricate mode of levying the duties and incorrect assessment of valuation of the goods had not only adversely affected the trade of Banaras but had been highly detrimental to Bengal in diminishing the demand both for its own manufacturers as well as for the exports from Europe. Before goods could reach the interior parts of the country, the price was so enhanced by repeated exactions and additional charges of transportation that the inhabitants were unable to afford to purchase them. Thus the merchants were disappointed in their adventures and they gave up the trade in articles for which there was no demand. The ruin of merchants was followed by that of the manufactures, the cultivators and the numerous classes of people to whom commerce gave employment and lastly that of the state itself.<sup>1</sup> In addition to the above, in absence of a proper court to decide the disputes that arose between the merchants and customs officials,<sup>2</sup> added further difficulties.

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1. Ibid.

2. Ibid., p. 40.

To ameliorate the above defects, Barlow suggested such alterations as appeared most expedient in the fixation of rates of duties, assessment of the different articles of merchandise<sup>s</sup>, and guarding against any future deviation from the orders of the Government.

He recommended that the duties on all imported goods into Banaras from Bengal and Bihar either for immediate exportation or for internal consumption should be reduced to 2½% and that the duties on the export and inland trade should be continued at the rate of 5%. This recommendation was intended to afford the most effectual protection to the export of the Company's dominions as far as the western boundary of Banaras and a similar privilege granted to the Banaras rauwannahs in the Company's province was to afford equal encouragement to the trade of the former.

He also recommended that the Nawab Wazir of Awadh should also be prevailed upon to accede<sup>1</sup> to this arrangement. Thus three countries could be united in the common commercial interest. The rauwannah of one being current in the other for the price of the goods would oblige each state to collect the duties on its own exports and adjust valuation as every over charge would entitle the others to a heavier duty.

He further recommended that with a view to ascertaining the value of export in his country, the Raja should make it

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1. Ibid., March 26, 1788, p.89.

obligatory for all persons applying for rawannah to exhibit an invoice of the goods and on the basis of this invoice, the duties were to be levied after which it was to be returned to the merchant with the Raja's seal affixed.

This mode was recommended by Barlow to save the merchants from disputes arising between them and custom officials due to severe exactions and oppressions by way of over valuation of their merchandize<sup>s</sup>.

Barlow also recommended that the goods imported from the Deccan must be valued in the same manner as the Banaras export. When the merchant arrived at Mirzapur, he must be asked to give an account of the price of the goods and on the basis of which the duties would be levied.

To ensure against any deviation from the above rules and to protect the life and property of the inhabitants, Barlow recommended the appointment of the Resident's Assistant at Mirzapur and establishment of a regular court of justice in Banaras for taking cognizance of all commercial affairs in the zamindari.

The recommendations of Barlow were approved by the Board on December 26, 1787, and Duncan was directed to enforce them. But Duncan had already taken necessary measures to reduce the rates of duties and protect the interests of the sanyasi merchants as recommended by Barlow. He had already ordered that the duties on the raw silk and silk and cotton goods of Bengal and Bihar were to be reduced to

# MAP OF THE INLAND NAVIGATION (TRADE ROUTE BY RIVERS)



## EXPLANATION

- ————— CITIES.
- ————— CAPITALS OR DISTRICT TOWNS.
- PASSAGES NAVIGABLE THROUGHOUT THE YEAR.
- ..... PASSAGES NAVIGABLE ONLY PART OF THE YEAR.

Connected Trade Route By Rivers in the Province of Banaras, taken from the "Memoirs of a map of Hindustan" published according to Act of Parliament.

2½% on the rahannah price. The heavy duty of 5% on an enhanced valuation of merchandize was a great encumbrance to the inland trade and deprived not only the Company but "the Raja of Benares of the numerous advantages that would result from an extended commerce and uninterrupted inland navigation"<sup>1</sup>.

He also tried to abolish the farming of the sonamahai, double duty levied at Mirzapur, the fee on hiring boats, the rahdari duty collected at Hulla<sup>2</sup>, and took necessary measures for protecting the property of the merchants from robbers. He also recommended for the abolition of the house tax and other extra cesses,<sup>3</sup> annihilation of all inland duties, limitation of the Raja's collection (i.e. on the goods passing through the district of Banaras and its own foreign export and imports for consumption), double duties on trades of Mirzapur, beya farm or the weighing fees on the request of local and Deccan merchants,<sup>4</sup> the duties of rahdari and choora,<sup>5</sup> and rusoom-i-Khazana at the rate of Rs.3-2-0 per cent on the amount of the collection.<sup>6</sup>

The duties exacted on the Bengali pilgrims were also abolished in order to bring them at par with the Maratha

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1. Ibid., p.88.

2. Ibid., p.90.

3. Ibid., p.91.

4. Ibid., pp. 93-95.

5. Ibid., p.97.

6. Ibid.



pilgrims who had been exempted from such tolls since the time of Warren Hastings. All these steps were taken by Duncan to make trade as free as possible.

The Resident reported to the Government on March 18, 1788, that orders had been issued and necessary steps taken for the execution of the Government order of December 26, 1787. He further informed that orders had been issued that the rawannahs were to be granted in the same form and subject to the same Regulations as those issued by the collectors of the Government customs in the <sup>other</sup> provinces. For this purpose the collectors were furnished with copies of the form of rawannahs and new sets of seals for their use. Being the principal <sup>1</sup> head, the Raja's seal was to be affixed in the same manner as the Company's Dewani Seal was used in Bengal and Bihar<sup>1</sup>. The Raja's officers were required to maintain the same type of registers and accounts as were kept by the collectors of the Government customs in other provinces.<sup>2</sup>

The duties on the exports from the Company's provinces passing through Banaras to the westward or Deccan markets or imported into this district for consumption were to be received at the reduced rate of 2½% and those passing through this province, or imported for its own consumption from westward, Deccan and other markets, exclusive of Bengal, Bihar and Orissa, were to pay the rates of duties hitherto established.<sup>3</sup>

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1. Shakespeare, op.cit., p. 55.

2. B.R.C., Dec. 26, 1787, p. 269.

3. Shakespeare, op.cit., p. 56.

The Resident assured the Government that he would endeavour for the total abolition of the inland duties and the Raja would be compensated by way of making deductions from his annual rental, equivalent to the immediate loss<sup>1</sup> by such abolition.

Duncan was convinced that the heavy duty of 5% was a great encumbrance to the inland trade and deprived not only the company but the Raja of Banaras also of the numerous advantages that would result from the extended commerce. Therefore, he suggested to the Government for reduction of the export duty from 5 to 2½% on goods produced in Banaras. Thus the industries of Banaras were encouraged.

All these proposals were accepted by the Government<sup>2</sup> on the 26th of March, 1788. In pursuance of the orders of the Government of December 26, 1787, the draft Regulations, which were to take effect in all parts of the province with effect from April 1, 1788, were submitted. As a consequence of which, internal duties of customs houses in Banaras amounting to Rs. 92,903-4-9 were to be abolished. To this was added a sum of four to five thousand rupees collected by the Raja at Ramnagar in the shape of rahadari and gani collections.<sup>3</sup> There was a controversy regarding the Raja's claim to the deduction on account of the abolition of the interior duties. The Raja claimed that he was fully entitled

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1. Shakespeare, op.cit., p.56.

2. Ibid., pp. 56-57.

3. B.R.C., March 26, 1788, p. 191.

to it and requested the Resident to do justice by securing reasonable allowances for him. There were several grounds on which his claim could have been disputed, as he had disregarded the rahdari part of the duties in the customs house regulations of November 22, 1781, which enjoined him to establish chowkis for the collection of customs at only three places namely, Ghazipur, Banaras and Mirzapur, whereas he had established a number of petty chowkis for the collection of the customs in different parts of the country.<sup>1</sup> The Raja, however, was granted a remission of Rs.12,707 for two years on account of the abolition of duties on the inland transportation of grains.

With a view to minimising the loss either to the Raja or the Government, Duncan himself took the task of minimising the expenditure on the establishment of customs offices. The strength of 1212 personnel was reduced to 395. All these steps reduced the cost of expenditure from Rs.57,220-11-9 to Rs.31,486-0-0. Separate customs houses for sanyasi, Irani and Panjab merchants were<sup>2</sup> abolished.

Duncan solicited the necessary orders of the Government regarding establishment of the commercial court of justice. He was particularly interested in knowing the Government opinion about the powers vested to the judges

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1. Ibid., Aug. 24, 1787, p.206. (Appendix 10).

2. Ibid., March 29, 1788, pp. 198-199.

of the four courts, including Banaras, to take cognizance in certain cases of breaches of regulations against the collection of internal duties. Duncan pointed out that as these exactions were often not of sufficient consequence to induce a merchant to go to Banaras from Ghazipur, Jaunpur or Mirzapur to lodge his complaint, which he might nevertheless be very willing to prefer, if he could have access to a court in his neighbourhood. Appeals from these courts were to lie before the Resident who was the president of the commercial court of justice.<sup>1</sup>

On June 11, 1788, the Board considered the proposal of Duncan regarding regulations agreed to the commercial court of justice.<sup>2</sup> Board agreed to the proposals that all merchandise<sup>3</sup> exported from the Company's provinces by way of Banaras to the Wazir's dominions, Deccan or other country should immediately be reduced by 2½% on the Company's rawannah's price. They also approved of his other plans and regulations for the establishment of the commercial court of justice. This court was to hear and decide all complaints against violation of the Regulations for the department of customs, neglect of duty, misconduct of the customs house officials, complaints of the collection in respect of rahdari, gani and other prohibited duties.<sup>3</sup>

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1. Ibid., March 29, 1788, pp. 205-206.

2. Ibid., June 11, 1788, pp. 62-63.

3. Ibid.

On a representation from the customs master at Ghazipur that the goods imported into Banaras under the Company's rawannah were generally found to exceed in weight as well as in the number, of the specifications thereof, contained in such rawannah. The Resident reported to the Government on the 6th of June, 1788, that the Regulations of March 29th were not clear on the point. Therefore, pending the receipt of further instructions from the Government he had ordered to collect double duties on all such surplus goods imported in this manner from Bengal and Bihar and to grant a rawannah for the whole. It was noticed that in many cases goods were not accompanied by rawannah. It became difficult for customs officials to find out whether the articles imported from Bengal and Bihar were liable for duty or not. To check the evasion of taxation and discrimination in tariff policy, he suggested to the Board for creation of one customs unit for the whole area covering Bengal, Bihar and Banaras. He also suggested that when goods were imported in excess of the quantity mentioned in the rawannah, the whole consignment was to be confiscated in the case of exports from Banaras to the Company provinces, whereas in case of import into Banaras from Bihar and Bengal, the excess quantity was to be confiscated. But his suggestion for a common customs unit was not approved by the Board.<sup>1</sup>

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1. Ibid.



It was further observed that there was a considerable difference between the maund weights of Bengal and Banaras. It was, therefore, considered necessary to collect duty on exportation from Bengal and Bihar according to the standard maund of the place where the boat's rawannahs were taken out, regardless of the local difference of weight. The rules were made reciprocal in respect of goods passing to Bihar and Bengal through the province<sup>1</sup> of Banaras and under Banaras rawannah.

Duncan recommended the abolition of ghardewari and khanashumari but in order that there should be no remissions by the farmers of land revenue, he proposed to allow its collection for the current year, and to abolish it in the ensuing settlement when the farmers were induced<sup>2</sup> to agree to give it up without specific identification.

Connected with ghardewari, though in reality wholly distinct from it, was parianat or ground rent, which was<sup>3</sup> abolished by Duncan. In his report of June 13, 1788, Duncan observes, "There is properly speaking no quit-rent in the country for ground occupied by houses, except in the city of Benares, in some parts of which a yearly rent equivalent to what the land in a state of cultivation is paid to the Raja's officers under denomination of purjote;

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1. Ibid., pp. 66-67.

2. Ibid., June 13, 1788, p. 74.

3. Ibid., p. 73.

but by the greater part of the houses in the city of Benares (which are daily increasing) is built upon purchased land which pays no annual or other rent".<sup>1</sup>

From the doul or estimate of <sup>a</sup>amanat mehals for 1197 fasli (dated August 12, 1790) it appears that annual receipts from the pariamat or house ground rent in the city of Banaras and its suburbs amounted to Rs.1309-7-9 per annum, and further that the tax was called khana shumari (house countingtax), a name which was applied to the village trade tax on ghardewari. Duncan thought that the article of ghardewari alias khana shumari, was a tax collected from the bakkals or grain merchants, tellis or oilman, bharbhoojias or those who kiln grain preparatory to its being milled, manihara (glass man) and natwas <sup>upholsterer</sup> (~~upholds~~ <sup>tailor</sup>). The rate was fixed from Rs.2/- to Rs.8-11-0 per annum. From this double use of the word "khana shumari", an erroneous belief had arisen that the ghardewari tax was abolished by the Government in 1835 A.D. E.A. Reade, Member of the Board of Revenue, North-Western Provinces, wrote on the 18th of November, 1853, an elaborate minute on the subject giving reasons why the village zamindars throughout the province had no right to levy ground rent for the site of the houses which had been in existence at the time of the Permanent Settlement.<sup>2</sup> The

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1. Ibid.

2. Oldham, op.cit., vol. II, p.196; Shakespeare, op.cit., vol. II, p.120.

conclusions of Reade are probably correct but his arguments rested on the erroneous assumption that ghardewari was a ground rent, which was incorrect.

With a view to encouraging the use of good and healthy cattle in agriculture, on the 18th of February, 1789, Duncan abolished duties collected on the sale, purchase, exportation <sup>or</sup> of importation of horses, cattle or animals of any description. This order was approved by the Government on the 16th of March, 1789. The annual loss to the customs duties from the abolition was <sup>1</sup> Rs. 6,000/- per annum.

Duncan also abolished mahal duties. The main mahals or monopolies in force in the province of Banaras were the lime, salli (impure carbonate of soda), stone, wood, lead and gold.

#### L\_I\_M\_E

The chunam mahal at Banaras was the monopoly for the benefit of the Raja or public revenue. Before Raja Balwant Singh and during the fauldarship of Mir Rustam Khan, no one had the exclusive privilege of selling chunam at Banaras. The traders manufactured and sold the article in the public markets, as there was no restriction upon the trade. The medium rate of kankar chunam or lime prepared from a sort of hard gravel appears to have been then sold at the rate of <sup>2</sup> Rs. 25/- per 100 maund. During the time of Raja Balwant Singh,

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1. B.R.C., March 16, 1789, p.129.

2. Ibid., Nov. 25, 1788, p.94.

the Marathas began to erect many large buildings, temples and ghats at Banaras and the demand for chunam considerably increased. In consequence, the disputes arose between the dealers about the terms of selling, and their differences arose to such extent that several violent scuffles and riots took place in which unfortunately many lives were lost. The matter was represented to the Raja to put an end to the animosities and jealousies that existed among the dealers. The Raja declared the chunam as a monopoly and farmed out at the jama of Rs.1000/- per annum. In the beginning of the 2nd year an increase of Rs.1000/- was offered. Thus the jama of the mahal raised to Rs.2000/-, and in consequence of this increase, the farmer raised the rates of chunam in the markets.<sup>1</sup> In this manner the jama and rates progressively increased till the end of Chait Singh's reign, when chunam began to be sold at the rate of Rs.40/- per 100 maunds. The surkhi prepared and manufactured by the farmers was sold at the rate of Rs.3-8-0 per 100 maunds.<sup>2</sup>

By an order of Government, dated October 23, 1789, the monopoly of lime abolished and the Government suffered a loss of about Rs.20,000 annually. But this temporary pecuniary loss to the Government was outweighed by permanent future advantages which accrued to the Company.<sup>3</sup>

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1. Ibid., p.95.

2. Ibid., p.96; October 23, 1789, p.25.

3. Ibid., Aug. 4, 1792, p.96.

R    E    H

In the usar or barren plains of the Ghazipur district and other parts of the province, a spontaneous florescence of salt was produced on the surface of the ground called reh, consisting of impure carbonate of soda. By the process of boiling and crystalizing reh, saiii (Alkali soil) was produced. The chief seat of this trade was at Rassarah, a flourishing village on the bank of the Sarju river. Many of the traders of Rassarah had branch establishments at Calcutta to which the saiii of the province was consigned. Under the Rajas of Banaras, the manufacture of saiii was a monopoly leased to a farmer who paid about Rs.3000/- per annum for the farm. Duncan considering a hurtful monopoly,<sup>1</sup> very prejudicial to trade, abolished it on October 10, 1788 and his order for its abolition had been confirmed by the Government order of June 17, 1789.<sup>2</sup>

W    O    O    D    AND    S    T    O    N    E

The profits of wood and stone monopolies were originally divided between the Rajapf Banaras and the qiladar of the Chunar fort who was directly subordinate to the Nawab Wazir.

During the time of Balwant Singh, Ganga Prasad farmed the wood and stone mahal and he then paid to the Raja a sum of Rs.9500/- as his share for both the mahala, the other

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1. Ibid., June 17, 1789, p.386.

2. Ibid.



moiety was paid to the qiladar of Chunar whose name was Saidi Jauhar.<sup>1</sup> He relinquished the charge of the Pargana after expiry of his five year's lease.

The rates of duty collected on wood were one rupee one anna on 200 ~~of~~ gutwara. Each gutwara was a piece of wood weighing about two seers. It flowed downwards by water and passed through the fort of Chunar. This<sup>was</sup> ~~/one~~ of the main sources of income from wood. The duty imposed on the fuel was at the rate of Rs.3/- or 4/- per 100 maunds. The fire-wood was of two types: one called koond, the other chylah. On the chylah, Rs.4/-, and on the koonda Rs.3/- per 100 maunds were collected as duty. After the expulsion of Chait Singh, the rental of the stone and wood mahal was<sup>2</sup> immensely increased from Rs.19,000/- to Rs.64,000/-.

As regards the levying of duty on stone, it did not depend on the hills <sup>or</sup> of the loca, situation of the quarries.

The duties were levied on all stones in the first instance which passed by the fort on water and the other duties were paid on the arrival and sale of such stones at Banaras. This duty was realized in the form of rahdari duty. If stones were to be transported as far as Patna, the duty was levied on them first by the qiladar of Chunar and then by the officer of the Sayer at Banaras, because there were two collecting agencies, the qiladar of Chunar

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1. Ibid., Nov. 25, 1790, p.325.

2. Oldham, op.cit., vol. II, p.199.

on behalf of Nawab Shuja-ud-Daulah, and the duties of Banaras being the right of Raja Balwant Singh. But in respect of stones which did not pass by the fort, the qiladar was not authorized to collect any duty on them.<sup>1</sup> No duty was levied on stones used for building purposes, but on mill stones, big and small rolling stones and the like, the duties were taken without any regard to or connection with the fort duties at Chunar.<sup>2</sup>

After the occupation of the fort of Chunar by the English, the qiladar's share in the monopoly was attached to the military fund of the fort. The sepoys, who collected the revenues for the military, did not confine themselves to levying a tax on the stones quarried in the neighbourhood of the fort, but roamed about the country far and wide with guns in their hand, committing great oppression. Duncan reported the matter to the Government in November, 1789, and a year afterwards a reply was received that the profits of the stone mahal at Chunar should be carried to the credit of the military fund and the farmer of the mahal should not be allowed to demand a higher price for the stone than they were sold prior to the expulsion of Chait Singh. The stones required for the domestic use were to be furnished at the same rates as they were previously procured by the people. The firewood and wood mahal was also abolished from the 1st of November, 1788, and no wood-

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1. Ibid., Nov. 25, 1789, p.91.

2. Ibid., p.92.

wood was to be taxed on its transportation from one part<sup>1</sup> of the province to another.

In May, 1793, the farmer of the stone mahal claimed a duty at the rate of 50% ad valorem on stones newly quarried, and a duty by 33% on the value of any stone<sup>2</sup> excavated from old ruins in any part of the province.

In June, 1797, Munro was appointed on a salary of Rs.300/- per mensem for the management of the mahal and by Regulation II of 1800, the monopoly was abolished and the stone quarries of the province were thrown open. All persons (except British subjects) were declared at liberty to quarry stone, subject to the payment of duty to the Government varying from two annas six pies to five annas per cubic foot, according to the size of the stone and place where quarried.<sup>3</sup>

#### LEAD MONOPOLY

A monopoly of the sale of lead in the province was vested in the mint master of the Banaras mint and the price of this mahal in the province was thus greatly enhanced. Duncan in his report of August 11, 1789, recommended its abolition. His recommendation appears to have been sanctioned<sup>4</sup> by the Government.

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1. Ibid., Nov. 25, 1789, pp.92-96.
  2. Ibid., May 7, 1793, p.130.
  3. Bengal Regulations, I, pp.410-415.
  4. B.R.C., Aug. 11, 1789, pp.77-78.

### GOLD MONOPOLY

I have earlier stated that the gold monopoly first originated in a permission granted to a favourite by Raja Balwant Singh to levy a duty on all gold imported from Nepal by the sanyasi merchants, a religious sect who engaged largely in trade. This licensed brokerage was afterwards converted into a monopoly, and when the sanyasi merchants abandoned the Nepal trade, farmer of the monopoly obtained permission from the Raja to monopolize the exclusive privilege of granting to the sanyasis bills on the province of Bengal for their remittance. On the recommendation <sup>1</sup> of Barlow, this monopoly together with other exactions, was abolished by the Government order of December 27, 1787.

### REDUCTION OF DUTY ON COTTON

Duncan gave relief to the Deccan and Bundelkhand merchants from excessive duty charged on cotton at Mirzapur by reducing it from Rs.15/- per 100 maunds to Rs.10/- to Rs.8/- per 100 maunds on his own initiative and thus placed them on a footing with other merchants. He was convinced that this concession would of course cause loss to the Government but supply more cotton to Bengal and Bihar through Mirzapur, instead of Nawab Wazir's market <sup>2</sup> of Phulpur.

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1. Oldham, op.cit., p.211.

2. Ibid., March 10, 1790, p.140.

To render protection to the Deccan traders from wayside robberies and thefts, Duncan established gamindari chowkis along the roads frequented by the Deccan and other traders to the Mart of Mirzapur. A complete line of watchmen was established from the Western frontier quite up to Mirzapur and for some way on the opposite side of the Ganges. The officer commanding at Chunar was also requested to station five sepoy<sup>s</sup> at each of the frontier villages of Rajapur, Tara, Anant Ram, and Chandipur. These chowkis were made responsible for all losses by theft or robbery that were ~~xx~~ committed in their respective jurisdictions. The monthly additional expenditure incurred on this account amounted to <sup>1</sup>Rs. 158-1-0.

Duncan also increased the office establishment of the custom<sup>s</sup>master of Mirzapur in consideration of the enlarged size of the mart of Mirzapur.<sup>2</sup>

#### GANJ AND ITS ESTABLISHMENT

The ganjes were established to facilitate the merchants, where they used to bring their goods and sell to the public. These were located in the central places and placed under the charge and supervision of the chaudhris.

The word 'chaudhry' is a Hindi term, composed of two words - chau means four and dhri means holder. It means a person who possessed four qualities. These qualities were:

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1. Ibid., March 13, 1790, pp. 164-166.
  2. Ibid., pp. 166-167.



- 1) That the person should be of good lineage, well versed in his art and profession.
- 2) That he should be just and faithful.
- 3) That he should possess the art of persuasion, oratory and endowed with understanding in the business.
- 4) That he should be diligent, active and intelligent.

There was a chaudhri in each ganj. It was customary at that time in the province that there should be a chaudhri in every tribe or body of tradesmen. The chaudhria were of two types: one of the mal or land revenue and the other of the saver or customs and duties. The chaudhri of the ganj was called the chaudhri of the golas and ganjs under his control. He was to check the quarrel, manage and superintend the conduct of all businessmen and keep them united. He was to report to the kotwali and the customs houses about the rates of articles. To ensure that no deviation or differences in rates could take place, he was to represent in a proper manner to the court and get the order stayed if it was issued contrary to the customs, regulations and tend to the destruction of the ganj and bazar. He was also report to the magistrate the real state<sup>1</sup> of all ganis and bazars.

#### WEIGHTS AND MEASURES

Duncan took steps to reform the weights and measures current in the province of Banaras. During the time of

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1. Ibid., Dec., 1788, pp.375-381.

Balwant Singh, the kotwal of the city of Banaras was responsible for the proper maintenance of weights and measures. He weighed the stone and received his <sup>1</sup> fees for the same. But after the institution of the courts in the districts of Banaras, Jaunpur, Ghazipur and Mirzapur <sup>2</sup> in 1778, the work of weighing was taken from the kotwal. A montesib was appointed to supervise this work. He was to fix his seal in all the stone seers and panseri weights which were current. He was to take care that no false weights were introduced. In case of proof, the cheat was <sup>3</sup> fined and punished.

In June, 1790, iron weights were introduced to remove the diminution in weights. These iron weights were examined yearly by the adalat. Those who did not possess iron weights, were allowed to use stone weights, provided the <sup>4</sup> seal of the adalat was fixed on the weights.

#### TREATY WITH NAWAB OF AWADH

Two important commercial treaties played an important role in the enlargement of trade, one with the Nawab Wazir of Awadh and the other with the Raja of Nepal.

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1. Ibid., June 25, 1790, p.25.
  2. Ibid., pp.25-26.
  3. Ibid., p.26.
  4. Ibid.

The treaty with Nawab Wazir was concluded on 15 July, 1788.<sup>1</sup> According to this treaty, goods coming from either the Company's provinces or Banaras or Awadh was to be accompanied by a rawannah issued by the administrative authority of the place and the assessment of the duty was to be made on the basis of the price quoted in the rawannah. It was obviously provided to avoid disputes arising in connection with the assessment of the valuation of commodities and evasion of taxes thereon. With regard to the actual rate of duties, it was decided that cotton passing through the Wazir's dominion was to pay a 2½% Banaras import duty at the valuation of Rs. 6/- per maund and silk and cotton goods manufactured in Awadh were to pay a Banaras import duty of 2½% instead of 5%. This secured a cheap supply of raw cotton into Bengal and at the same time it opened a market for the manufacturers of Bengal. The duty on stones passing through Awadh was abolished. On other articles, the import and export duty remained as before.<sup>2</sup>

After the conclusion of the treaty, a customs house was established at Allahabad. A mutasaddi and two peons were posted at Patwaripur in Bhadohi at a distance of 1½ cosse from Lachhagir which was immediately situated on and connected with three frontiers, viz., the Company, the

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1. Aitchison, op.cit., vol. II, pp.90-91.

2. Ibid.

territory of the Nawab Wazir and that of Taurah belonging to Raja Balwant Singh. This office was established for the purpose of procuring and sending intelligence with directions to prevent any molestation of boats within the Company's jurisdiction. If they knew any such molestation or undue demand of customs officers or tolls of whatever kinds upon boats either by the people of Nawab Wazir's frontier or in Udwant Singh's territory, they were directed to send advice thereof through the customs master of Mirzapur, specifying the names of the owners of the boats and persons who had<sup>1</sup> molested them.

It was reported to the Government on May 21, 1789, that owing to the irregularities in the customs house regulations of the Nawab Wazir's dominion, there was much inconvenience experienced by the merchants and loss to the Government customs, owing to the difficulty and delay in procuring rawannahs for the goods imported from the Nawab Wazir's dominions from the customs houses of that country. Duncan had, therefore, at the suggestion of Ives, the Resident at Lucknow, joined the remonstrances of the customs masters of Banaras district and the complaints of the traders reverted to the rate already established, whereby rates of duties were to be taken on goods imported without rawannah from the country of Awadh and its dependencies, equal to double of those charged on such goods as were

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1. Ibid., Nov. 21, 1788, p.165.

brought from the same country, under the rawannah according<sup>1</sup> to the commercial treaty.

The above suggestions of the Resident were approved by the Government on May 29, 1789. A duty of 5% was fixed on goods imported from the Wazir's country into the province of Banaras on the valuation of the Nawab Wazir's rawannahs and where unaccompanied by rawannahs by the valuation<sup>2</sup> in the Book of Rates.

#### TREATY WITH NEPAL

The early intercourse of the British with Nepal was exclusively of a commercial nature.<sup>3</sup> A considerable variety of articles were exported from Banaras to Nepal, such as muslin, gulbadan, kinkhab, emeralds, white cloth, chintz, kharrana cloth, gasee cloth, cloves, camphor, pepper, sugar, roses and shawls. The duties charged on these exports were:

- 1) On leaving Banaras. . . . . 5%
- 2) The Bihar duty. . . . . 2%
- 3) Road charges. . . . . 2%

Total duties charged in Banaras were 9% on each variety of goods.

The imports from Nepal consisted of chamar (cow tails) nafet, mushk or musk feds, cocean, cloth, rhinoceroses, horns,

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1. Ibid., May 21, 1789, pp.579-580.

2. Shakespeare, op.cit., vol. II, p.93.

3. Selections from English Records, Benares, Series,



elephants, elephant's teeth, gold dust, blankets, tonjans, cardamoms, pagnal, har, sowant, bikhani and sohaga. A major part of this trade was mainly controlled by the savasi<sup>1</sup> merchants.

After the failure of Kinlock's expedition, there was little connection with Nepal till the administration of Lord Cornwallis. Trade had practically stopped. Hastings' efforts to start a free commercial intercourse with Nepal and Tibet were marred by the intrigues of the Chinese court, <sup>2</sup> which ~~she~~ had now assumed the entire Government of Tibet.

In 1789, the agent of the Raja of Nepal applied for a muafi & rawannah in respect of a small quantity of goods which he had commissioned. The Resident granted the rawannah immediately to cultivate a good understanding with the Raja <sup>3</sup> of Nepal.

In 1790, on the advice of the collector of Purnea, Cornwallis wrote a letter to the Raja of Nepal intimating him the measures he had taken for the encouragement of the commerce of both countries and for the removal of <sup>The</sup> ~~impedi-~~<sup>4</sup>ments which obstructed its progress. He had intimated that he had withdrawn the chowkis which had been stationed towards Nepal's frontiers and had abolished all the duties that were collected on exports to Nepal as well as from it into the

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1. Ibid.

2. Aitchison, op.cit., p.157.

3. Kirk Patrick, Account of Nepal, pp. 205-207.

4. B.R.C., Dec. 31, 1789, pp.423-424.

Company's provinces. He pointed out to the Raja that although it would affect the Company's revenues but it would bring more prosperity to the subjects of both the countries. He expected that the diminution of revenues could be fully compensated "in the increase that will arise to the other sources of their wealth".<sup>1</sup>

He had so informed the Raja that the Nawab Wazir had concluded a similar commercial treaty, with the Company's Government, which had contributed to the growth of the commerce of both the countries.

Government authorized Duncan to negotiate a treaty of commerce with Nepal which was concluded on March 21, 1792. According to this treaty, 2½% was fixed reciprocally as a duty on the imports from both the countries. This duty was to be levied on the amount of the invoice of goods which merchants were required to possess. In cases where the merchants did not possess the original invoice, the customs house officials were authorized to levy a duty of 2½% as a valuation according to the market price. If the goods were not meant for sale in either of the countries and the merchants were desirous to transport their goods to any other country beyond the limits of either of the countries, the customs house officers were not allowed to levy any further duty than the fixed at the first entry.<sup>2</sup>

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1. Ibid., pp. 423-424.

2. Ibid., June 21, 1792, pp. 187-190 (Available in proceedings of August, 1792).

Nothing substantial came out of the treaty and it remained ignored and dormant. The cause of this appeared to be the British reluctance to help the Gurkha in their war against the Chinese, who were invading Nepal in retaliation for a Gurkha incursion into Tibet.<sup>1</sup>

In 1794, with a view to set on foot trade relations with Nepal, Sir John Shore wished to send a merchant Abdul Qadir with a recommendatory letter.<sup>2</sup> On this subject he wrote to Dundas on February 7, 1795, "The attempts made upon so moderate scale that the loss will be trifling even it should entirely fail; but I have better hope". Qadir's journey was delayed at the out set because the Raja of Nepal was averse to receiving him. Garjar Misir was sent to overcome his opposition, and he was able to obtain permission for Qadir's visit. Nothing tangible, however, appears to have resulted from these efforts.

There were no organized commercial transactions with Nepal till 1802, when Wellesley tried to revive the terms of the old treaty.<sup>3</sup>

### TOWN DUTIES

The reasons which induced the Government to abolish the internal duties and taxes coming under the denomination of sayer also reserved it for future consideration, what

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1. Political Letter to Courts of Directors, Dec.30, 1794, para 134.
  2. H.Furber, The Private Records of an Indian Governor Generalship, p.66.
  3. Aitchison, op.cit., pp. 198-203.

internal duties or taxes should be imposed in lieu of the sayer collections for the eventual improvement of the public resources. With this object in view, the Governor General in Council re-established by Regulation of 1801 corresponding duties on certain articles imported into the city of Banaras in place of certain ganj duties and other eventual duties levied in this city under clause 2, section 6, Regulation V of 1801, with effect from 10th of September 1801.

Under Regulation X of 1801, the customs house was established in the city of Banaras for the collection of town duties on the goods imported into the province of Banaras. The duties were levied by the officer called collector of the town duties for the city of Banaras. The collector was allowed a commission of 5% on the amount of all duties collected on goods imported into the towns. Under Section 6, Regulation X of 1801, a duty of 4% was levied on the value of the undermentioned articles imported into the city of Banaras with the exception of those articles which were imported from the territories of the Nawab Wazir and the Raja of Nepal.

Tobacco, <sup>betel</sup> ~~beetle~~-nut, shell, lack and stick lac, dammer, furniture of all sorts, ghee, peppers, cardamoms, cloves, mace, cinnamon, spice of every description, mustard oil, coconut oil, vegetable oils and oil seeds, gold and silver,

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1. Bengal Regulations, I, Appendix, p.500.

lace, stone plates, raw silk, saltpetre, shawls, sulphur, elephant<sup>1</sup> teeth, cowtails, tootes, sindoor, leather of all sorts, buffaloes, horses, etc.

Under section 7, Regulation X of 1801, a duty of 2% was levied on a valuation specified in the Book of Rates. On the value of the piece goods of cotton, or cotton yarn, provided they were not imported from the territories of Nawab Wazir and Raja of Nepal.<sup>2</sup> Under Section 2, Regulation V of 1802, with a view to encouraging the commerce and improve the public revenues arising from the customs and town duties, certain alterations were made in the rate of the Government customs and town duties. All the goods (with the exception of silk and cotton piece goods, and piece goods made partly of silk and partly of cotton) were required to pay a duty at the rate of 2½% on their importation into the province of Banaras on the prices specified in the Book of Rates. If the said goods were imported into the province of Bihar, they were liable to be charged an import duty of 2½% on the prices specified in the Ravannah granted at the customs house in Banaras. This import duty<sup>3</sup> was to be paid at the customs house at Patna.

Under clause 2, Section 2, Regulation V of 1802, silk and cotton piece goods made partly of silk and partly of

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1. Ibid., pp. 500-501.

2. Ibid., p. 501.

3. Ibid., pp. 527-528.



silk and partly of cotton, imported from the territories ceded by the Wazir to the province of Banaras were required to pay on their importation into the province<sup>c</sup> of Banaras the Government customs at the rate of 2½% on the prices specified in the Book of Rates.<sup>1</sup>

Under Section 3, Regulation V of 1802, piece goods of every description manufactured in the province of Banaras and all other goods either being the produce or manufacture of that province, <sup>and</sup> did not hitherto declared<sup>to</sup> be exempted from the payment of the Government customs on their importation from the province of Banaras into the province of Bihar, were required to pay a duty of 3½% at the Banaras customs house according to the price specified in the Book of rates. The goods were not required to pay any duty on their importation into the province of Bihar, but were permitted to pass under cover of the rawannah granted at the customs house at Banaras to any place within the province of Bengal, Bihar or Orissa and exempted from all further duty, fee or charge, whatever, and without being subject to any detention on passing any customs house, excepting such as was necessary for enabling the officers at the customs house to ascertain that the goods corresponded with the rawannah.<sup>2</sup>

Under Section 14, Regulation V of 1802, the Indigo seed, raun, durra, moula and boogla (mats)<sup>3</sup> were exempted

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1. Ibid., p. 528.

2. Ibid., p. 529.

from the payment of the Government customs throughout the province of Bengal, Bihar, Orissa and Banaras and also from the town duties of Calcutta, Patna, Decca, Murshidabad and Banaras.

Under Regulation XXV of 1810, it was provided that if a merchant was desirous of dividing a despatch of his goods into smaller quantities after securing a rawannah for the whole, he was entitled to receive as many rawannahs as he required at any customs house.

Since the fluctuations had taken place in the price of the articles and merchants were in the habit of dividing their goods into several smaller quantities for despatch, it was necessary to establish one more customs house at Ghazipur to cope with the increased work and for the collection of customs and town duties. But much inconvenience had been experienced from the numerous portions into which merchants used to despatch their cargo of goods. It was, therefore, enacted under section 5, Regulation XIX of 1812 that with a view of restraining any abuse of the above mentioned indulgence that whenever a merchant was desirous of sub-dividing his goods or despatching it into two or more portions, he was to pay over and above the additional duty of 1½% already established, a fee of four annas to every rawannah so obtained in exchange for the original rawannah for the use of the customs officials.<sup>1</sup>

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1. Bengal Regulations, I, pp. 740-741.

The Company made concerted efforts to increase the industries of Banaras. The import and export duties were reduced. Illegal exactions were prohibited. Necessary measures were adopted to abolish the farming of the sona mahal, stone mahal and wood mahal, double duty levied at Mirzapur, the fee on hiring of boats and rahdari duty collected at Mulliah. Protective measures were taken to save the life and property of the merchants from the way side robberies and sheds were constructed for the Deccan merchants whereas they kept their cotton well protected from rains. The commercial courts were established to hear and decide complaints connected with the industries and tariff. In general the commercial policy of the Company was extremely beneficial to the province of Banaras and instrumental in bringing it at par with the other provinces of the Company's dominion.

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## CHAPTER - VII

### CULTURAL AND SOCIAL LIFE

#### EDUCATIONAL SYSTEM

The foundation of the system of English education which exists today in India was laid in the eighteenth century, not by the British administration but by the missionaries and private individuals. It is true that some of the latter were officers of the East India Company, but their educational activities were the outcome of their personal beneficence rather than a part of their official duties. It is also true that the Government did occasionally manifest a slight interest in educational schemes which aimed at supplementing the work done by indigenous schools and some times they sanctioned financial assistance to such schemes as were calculated to conciliate the people or to provide recruits for the public services. On the whole, however, the most important of the early efforts to promote the educational interests of the people emanated from the missionaries. Their aim was to employ education, not as an end in itself, but as a means to conversion and, very naturally, they decided from the very beginning that teaching as well as preaching should be through the medium<sup>1</sup> of vernaculars. At times enthusiasm<sup>1</sup> for propagating the

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1. N.H. Law, Promotion of Learning in India by Early European Settlers, p.7.

Gospel outran discretion and some of the early missionaries earned the displeasure of the civil authorities. Their desire to banish ignorance, however, led "to single-minded and whole hearted efforts in the cause of education in and for itself, and their educational work especially on the collegiate side gradually became almost entirely divorced from their proselytizing activities"<sup>1</sup>. William Archer has pointed out, "That western enlightenment has come to the east in such close association with Christianity that it is impossible to distinguish between the one influence and the other, but it is equally true that a long list of honoured names testifies to the solid educational work which missionaries have accomplished in India"<sup>2</sup>.

When the East India Company attained political supremacy in India, they did not bestow any thought on the "education of the inhabitants of their dominions. Gold was their watch word. Every one of their servants, who came out to India, tried to enrich himself as quickly as possible at the expense of the children of the soil"<sup>3</sup>. It was on this account that Burke described them as "birds of prey and passage in India"<sup>4</sup>.

But as years rolled on, it became patent to some thoughtful Anglo Indians that their dominion in India could

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1. H.R. James, Education and Statesmanship in India, p.19.
  2. W.Archer, India and the Future, p.263.
  3. H.Sharp, Selections from Educational Records, vol. I, p.6.
  4. B.D. Basu, Education in India under the East India Company, p.1.



not last long unless education, especially Western, was diffused among the inhabitants of the land. When the Charter of the Company came up for renewal in Parliament in 1792-1793, Wilberforce made a proposal for sending school masters and missionaries to India for the religious and moral improvement of the Indians. But the opposite party in the Court of Directors opposed it and urged, "The Hindoos had as good a system of faith and morals as most people and that it would be madness to attempt their conversion or give them any more learning or any other description of learning than what they already possessed".<sup>1</sup> Hence the Government was unable to implement the proposals of Wilberforce.<sup>2</sup>

After 1795 when the Company became predominantly a political power in India, its educational policy underwent a change. Hitherto, the Company had restricted its attention to the education of the Europeans and Anglo-Indian children. It now began to feel that it must do something for the Indian people. Politically, it was a successor to Hindu and Muslim rulers who had encouraged higher learning in classical languages by (a) establishing Madrasahs and pathshalas, (b) by giving marks of honour or pecuniary grants to learned pandits and maulavis, or (c) by endowing educational institutions for higher religious studies. It was felt that the Company must continue these traditions.

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1. Sharp, op.cit., p.17.

2. J.A. Richter, The History of Missions in India, pp. 150-151.

Moreover, the Company wanted to educate sons of influential Indians for higher posts under the Government, as assistant to the judges or advisors to the judges and thereby win the confidence of the upper classes and consolidate its rule in India.<sup>1</sup> It was, therefore, felt that the Company should establish some centres of higher learning for the Hindus and Muslims - a desire that led to the establishment of institutions entirely different from the charity schools. Among these most important were the Calcutta ~~Madarassas~~<sup>2</sup> and Banaras Sanskrit College.

The Banaras Sanskrit College owed its establishment to the political considerations and was an attempt to conciliate the Hindu population of the newly acquired territory of the Company. It was founded in 1791 by Jonathan Duncan, the Resident at Banaras, who had explained below the considerations that made him to undertake the project.

"Two important advantages seemed derivable from such an establishment, the first to the British name and nation in its tendency towards endearing our Government to the native Hindoos, by our exceeding in our attention towards them and their system; the care shown even by their own native Princes; the second principal advantage that may be derived from this institution will be felt in its effects more immediately by the natives though not without being participated in by the British subjects, who are to rule over

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1. Arthur Howell, Education in British India, p. 1.

2. Ibid.

them, by preserving and disseminating a knowledge of the Hindoo Law, and proving a nursery of future doctors and expounders thereof, to assist the European judges in the due, regular and uniform administration of its genuine<sup>1</sup> letter and spirit to the body of the people".

A doubt has been raised regarding this. In his "Selection of Educational Records", Sharp publishes a letter from Duncan regarding the establishment of the college.<sup>2</sup> This is dated January 1, 1792. A reply to this letter was sent by Lord Cornwallis on January 13, 1792, in which sanction was accorded to the proposal of Duncan. It is argued on the basis of this letter that the college was established in 1792. But a careful study shows that this inference is incorrect. Lord Cornwallis wrote, "We entirely approve of the plan of Hindu College which you have established from the commencement of 1199 fasli". It is, therefore, evident that Duncan had already founded the college and applied for ex post facto sanction, a common procedure of this period. Moreover, there is another disputable evidence to show that the college was established in 1791. Fisher stated in his memoir that this institution was projected by Jonathan Duncan in 1791, and G.Nicolls, the author of the book "Sketch of the Rise and Progress of the Benares Pathshallas or Sanskrit College"<sup>3</sup> agrees with him in this respect.<sup>4</sup> Boman Behram has stated,

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1. Sharp, op.cit., pp.10-11.

2. Ibid., pp.11-12.

3. A.N. Basu, Indian Education in Parliamentary Papers, 66.

4. G.Nicolls, Sketch of the Rise and Progress of the Benares Pathshallas, p.1.

"The professors of the college met for the first time on the 28th of October, 1791" and that the Resident paid his first visit to the new college on 17th November, 1791<sup>1</sup>". If all these facts are considered, there is hardly any doubt that the College was established in 1791.

The object of this institution was the preservation and cultivation of the laws, literature and religion of the Hindus, a measure, which it was conceived, would be equally advantageous to the Indians and honourable to the British Government.

The plan of the Hindu College was approved on January 13, 1792. The expenditure for the first year was limited to Rs.14,000/-. In the following year it was increased to Rs.20,000/-, provided there was a possibility of surplus collections otherwise the expense was to be restricted to the sum authorized for the current year.<sup>2</sup>

The establishment originally consisted of a Head Sandit or Rector, eight professors, nine students, who enjoyed salaries, with book-keepers, writers, peons, etc. The Governor General was its visitor, and the Resident at Banaras his deputy. Besides the scholars on the rolls and a certain number of poor children who were to receive instructions gratis, the institution was open to all persons

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1. B.K. Boman Behram, Educational Controversies in India, p. 20.

2. Sharp, op.cit., p.12.

who were willing to pay for instructions. The teachers and students were to hold their positions on the pleasure of the visitor. All the professors, except the professor of medicine, were Brahmanas. The Brahmanas were given preference in succession to the office of the rector or to professorship. Each professor was to prepare annually for the use of his student, a lecture on his respective subject. The scholars were examined four times a year in the presence of the Resident, in all such branches of knowledge which were not held too sacred to be discussed in the presence of a Committee of the Brahmanas. Courses of study were prepared by the professors. The internal discipline was in all respects, conformable to the dharma<sup>1</sup> shastra. The students from different parts of India used to come for study there. The college also supplied qualified pandits for the posts of law officers under the Company, when Cornwallis system was introduced into Bengal and Bihar in 1793. The prescribed courses of studies in this college<sup>2</sup> were:

Theology, Ritual

Medicine, including Botany, etc.

Music.

Mechanic Arts.

Prosody and Sacred Lexicography.

Mathematics

Metaphysics.

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1. Minutes of Evidence taken before the Select Committee on the affairs of the E.I. Coy (Parliamentary Papers, 1855 No. 445-1, p. 399.
  2. Ibid.



Logic

Law

History

Philosophy

Poetry

Astronomy

Duncan left Banaras in 1793 and the supervision of the College was vested into a committee consisting of G.F. Cherry, Samuel<sup>1</sup> Davis and Captain Wilford. Cherry was a Persian Scholar of repute and met with a tragic end at Banaras in January, 1799. Davis had entrusted himself in the study of Hindu Astronomy and Wilford, a devoted student of Sanskrit, was appointed as the Secretary of the Committee. In a minute of the 13th of June, 1794, Sir John Shore recommended, "Wilford be allowed to remain in Benares in his present situation with an additional allowance of Rs.600/- per mensem, as a recompense for the expense of and labour of procuring materials for and prosecuting in the above city or elsewhere an enquiry into the knowledge of the Hindoos in Geography as well as other branches of science and also into their ancient history".<sup>2</sup>

On the 13th of March, 1801, the Committee (meanwhile Cherry and Davis had been replaced by Neave and Deane) reported to the Governor General, "Of 202 scholars mentioned

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1. Nicolls, op-cit., p.3.

2. <sup>Hom</sup> Public Consultations, June 13, 1794, No. 9.

in the bill of Kashinaut, the Head Preceptor, only fifty or there about attended regularly, that fifty or seventy more attended once or thrice a month and the remainder had already been heard of even by name. It further appeared that for these five or six years there had only been eleven instead of twelve pandits in the college and that the Head Preceptor, Kashinaut had entered the name of fictitious Pandits in order to receive his allowance<sup>1</sup>. Thereupon<sup>2</sup> Kashi Nath Pandit, the first principal, was dismissed.

Kashi Nath's removal from the principal's office did not improve the administration or general reputation of the college. His successor Jata Shankar was neither efficient nor effective and the early history of Sanskrit Pathshala did more credit to Jonathan Duncan than to the Pandits.

In 1811 the college was reorganised by Lord Minto and wide scheme of studies was restricted:

1) The Superintendence of the college was vested in the Agent to the Governor General.

2) Pension was granted to the distinguished teachers for delivering instructions to the pupils in their own houses.

3) The teachers were nominated by the Committed subject to the approval of the Government.

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1. Pol. Cons., April 16, 1801, No. 110.

2. Ibid., June 3, 1801, No. 34.

4) A public library was attached to the college under the charge of a learned Indian with a small establishment for the care of the manuscripts.

5) The Librarian was appointed and remunerated in the mode prescribed for the teachers.

6) The ready access was afforded to the teachers, students, and the outsiders, under such restrictions as deemed necessary, for the purpose of consulting and transcribing the books or making extract from them.

7) The duty of procuring books either by purchase or transcription was entrusted to the Librarian under the control and order of the Committee.

8) The public disputations were held annually before the Committee at which prizes, rewards and literacy honours were to be conferred on such students who manifested the greatest proficiency.<sup>1</sup>

In September, 1815, the Committee proposed to appoint an European Superintendent and Mr. Galanos was nominated for the post. They also recommended that with a view to extending the benefits of the institutions more generally throughout the Province, the Judges and magistrates of the zillas and cities were authorized to recommend to the Committee the admission of duly qualified pupils. With

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1. Sharp, op.cit., pp. 20-21.

the former suggestion the Government judged it expedient to comply, while the latter met with their entire concurrence.

Referring to the institution of higher Sanskrit Education at Banaras, Forbes observed, "we contemplate the Hindoo College and Brahmanical Seminaries at Benares and different parts of Hindoostan with pleasure they are useful institutions; and however limited in their benefits to particular castes and descriptions of people, they are the nurseries of literature, medicine and sciences as far as demand is necessary among the Hindoos".<sup>1</sup>

#### BANARAS CHARITY SCHOOL

When the Governor General visited the upper Provinces in 1814, Jai Narayan Ghosal, an inhabitant of Banaras, presented a petition to the Government for the establishment of a school in the city and donated a sum of Rs.20,000/- together with a revenue from certain lands. He wished that this amount should be appropriated to meet the expenditure of the school. His proposal received the approbation of the Government.<sup>2</sup>

The school was founded in 1818 and the Revd.D.Corris, corresponding member of the Calcutta Church Missionary Society, was appointed as a member of the Committee of

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1. Forbes, Oriental Memoirs, II, pp.233-234.

2. A.C.C., Letter Issued, Feb. 12, 1819, vol. 14, p.118.

management and at the same time a Committee of the trustees was also constituted.<sup>1</sup> Owing to some litigation respecting the above land, its revenue could not be appropriated for school purposes. Hence Jai Narain Ghosal gave Mr. Corrie a house in Banaras to be used as a building for the school<sup>2</sup> and assigned a monthly revenue of Rs. 200/- for its support.

On October 16, 1819, Mr. Gervas Robinson, treasurer of the Church Missionary Committee, Calcutta, was also appointed as a treasurer of the school.<sup>3</sup>

The subjects taught were the English, Persian, Hindustani, Bengali, Arithmetic, Government Regulations, History, Geography and Astronomy. A number of poor children were admitted into the school and hostel where they were given food and clothes. Some of the poor and deserving children received small allowances for their subsistence. Children below seven year<sup>4</sup> of age were admitted without distinction of caste or creed. They received pecuniary support only for seven years; but they were allowed to attend the school until they were of twenty years of age. In 1825 Kali Shankar Ghosal, the son of Jai Narayan Ghosal, increased the funds by Rs. 20,000/- more.

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1. Ibid., p. 119.

2. Ibid; Letter Received, Oct. 16, 1819, vol. 60, pp. 307-308.

3. Ibid; Sharp, op.cit., p. 187.

4. Ibid.



## F\_I\_N\_E   A\_R\_T\_S

Banaras being an ancient city and having attracted people of varying talents, tastes and aptitudes, it was natural that the arts of music and dancing should have developed here particularly under the patronage of the temples. Examples are not wanting of large accumulations of wealth from the successful exercise of the skill and accomplishments of the profession. Prinsep has stated, "Some of the best houses, and the handsomest temples of the city, have been erected by ladies of dancing notoriety".<sup>1</sup>

Mir Rustam Ali, the fauidar of Banaras, was himself a Hindi poet and a patron of musicians. Banaras served in this period as a place of internment of some of the refugee members of the royal families, who, being interested in these arts, brought with them singers, musicians and dancers and continued to encourage these arts here as well. Nawab Wazir Ali of Awadh added zest to the celebration of Holi and was the founder of the Burhawa Mangal fair.<sup>2</sup> This fair is celebrated on the first Tuesday after Holi. Prince Jawan Bakht, son of Jahandar Shah, brought with him the descendants of seniya who settled down in Talinala muhalla.

The musicians, singers and dancers gathered around the Rajas of Nepal, Satara, Coorg and Bhonsla of Nagpur, who lived here as interneers.

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1. J. Prinsep, Benares Illustrated in a series of Drawing (Hinda Nasach, Girls).

2. Ibid., Boorwa Mangal Festival at Benares.

The Rajas of Banaras were patrons of music. The famous musician Ghulam Hussain Khan, was the court musician of Raja Balwant Singh.<sup>1</sup> Raja Chait Singh had a liking for music especially dhruwad. One Jetto of kathak caste from Nepal was appointed by Udit Narayan Singh as a teacher in the art of singing.<sup>2</sup>

The tanna which was made popular by Mian Sheri and Mian Gamu (both of Lucknow) was brought to Banaras by Raja Udit Narayan Singh who persuaded Gamu to settle down in Banaras, where he died. His sons were also well known exponent of the tanna. Warren Hastings caused a music gallery to be built at his own expense at the gateway of the illustrious Vishwanath temple, considered the holiest of all temples.<sup>3</sup>

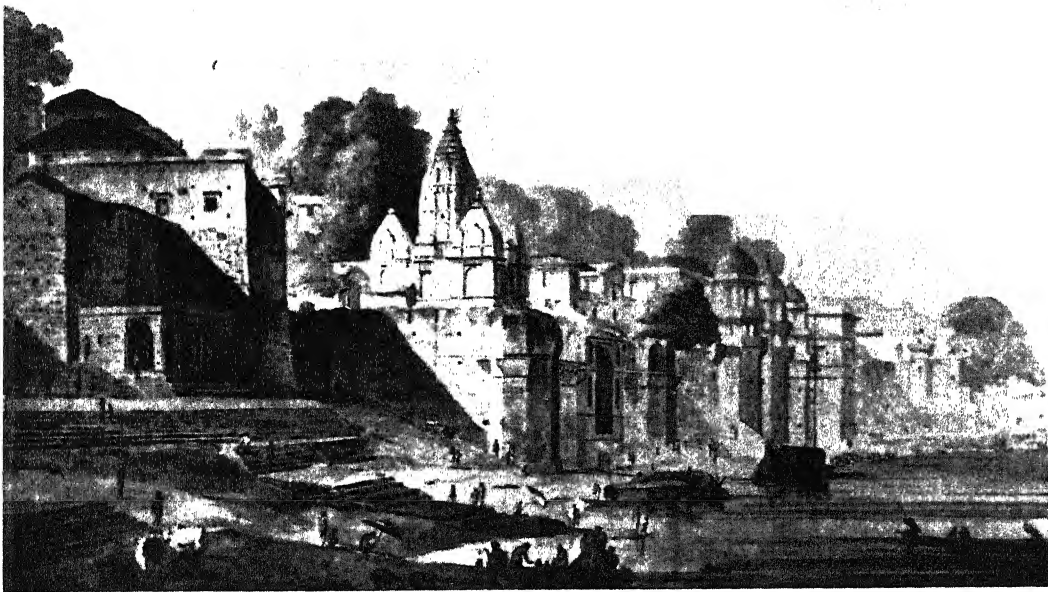
A new palace was erected at Ramnagar by Raja Balwant Singh and a temple added to the Gardens at Kutlupur by Raja Chait Singh. Chait Singh also laid the foundation of a baradari of exquisite beauty in Chakia which was completed by Mahip Narayan Singh.<sup>4</sup> It is said that Prince Jahandar Shah brought with him a few painters from Delhi among whom was Ustad 'al Ji Malla, a prominent painter of that period.<sup>5</sup>

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1. Sayed Hasan Askar, Chait Singh and <sup>Warren</sup> Hastings, I.H.R.C., vol. XXX, (Hyderabad) , part I, p. 16.
2. B.R.C., Jan. 4, 1796, p. 46.
3. S.N. Sen, Two Sanskrit Memoranda of 1787, (Journal of Ganga Nath the Research Institute), Nov. 1943, p. 45.
4. Balwant, pp. 32-33, Tawarikh-i-Ishwari, p. 86.
5. R. Heber, Narrative of the Journey through the Upper Provinces, p. 248.

Oral tradition has preserved the names of two painters Chandji and Hub Lal, both of whom lived at Banaras in the middle of the century. Chādji<sup>1</sup> was grand father of the Patna Artist, Hulas Lal, but nothing is known about him activities and no painting by him or by Hub Lal has so far come to light. Much later, between 1800 and 1830 two kinds of inferior bazar painters came into lime light in the first census made at Banaras for the Company by its servants, John Deane and James Prinsep. Both kinds of artists were called naqqash.<sup>1</sup>

Some designed patterns for borcades and embroideries and others being engaged in the decoration of the walls of the houses. James Prinsep stated, "The representation of figures in the house walls is not quite so common at Banaras as at Brindaban and Hurdewar: but it is, nevertheless, frequent. The paintings represent processions and feats of arms, and to European taste are far from ornamental; but they are quite decorous".<sup>2</sup> He himself not only explored the antiquarian remains but recorded picturesque vistas. He had also observed, "His pencil, though not entirely idle, has hitherto done little to bring the Holy City to the notice of Europe, Sketches of the place, as viewed from the river, are indeed to be found in the volumes both of Heber and Lord Valentia".<sup>3</sup>

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1. W.G. Archer, Indian Painting for the British, p.41.
  2. Prinsep, op.cit., p.15.
  3. Ibid, p.5 (Introduction).



**A VIEW OF THE CITY OF BANARAS IN 1783**

The British residents of Banaras were keenly interested in the picturesque.<sup>e</sup> <sup>vision</sup> So it was natural that Indian artists had very good market there. Among them <sup>1</sup> Dattu Lal was famous. Mica paintings were available in abundance. The costumes of domestic servants, dancing girls and their attendants, the procession of Muharran, the trade, etc. were painted by the local artists and sold in sets.<sup>2</sup> As the English gained in power, the Rajas of Banaras mixed with them and imitated their habits. Lord Valentia, who visited the Ramnagar palace in 1803, was received by Raja Udit Narayan Singh, in the darshan khana. He describes, "The room was white; the ornaments painted with green; lustres of the same colour were ranged down the middle, and on brackets at the sides. In compartments were English prints framed and glazed. We conversed but little, our attention being diverted by the nautching. Some of the Persianairs were pretty, and I was much amused with their singing, "I care for no body, no not I, and Marlbrook".<sup>3</sup>

Sarnath was discovered by Duncan on January 29, 1794. The servants of Jagat Singh, <sup>Nail</sup> ~~darshan~~ of Mahip Narayan Singh while digging for stones near Sarnath in order to

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1. Archer, op.cit., p.45.

2. Park, Wanderings, vol. I, p.219.

3. G.V. Valentia, Voyages and Travels, to India, p.116.



erect market there, found two boxes, one of stone and other of marble. The marble box was taken to Duncan but the stone one was left undisturbed in its original position. The marble box contained a few human bones, some decayed pearls, gold leaves, and other jewels, which were presented by Duncan to the Asiatic Society of Bengal.<sup>1</sup> At the same place was also found a statue of Lord Buddha bearing an inscription dated 1026 A.D. which was translated by Wilford, the Surveyor of Banaras at that time.<sup>2</sup> There were several views about it. Some believed the bones to be those of a royal consort. Others held the box to have been a temporary reliquary, where the bones awaited the final disposal in the Ganges according to Hindu tenets. Duncan disagreed with these inferences. He thought that the bones belonged to one of a set of the Buddha-worshippers which ~~a~~ accounted for the statue being found in the vicinity and who deposited their bones in the earth instead of immersing it in the river. Time has proved that Duncan was right, for the Sarnath remains, one of the most renowned in India, established the existence of a temple, built on the spot where Buddha preached his first sermon.<sup>3</sup>

Astronomical Observatory: Some of the 18th century European travellers were highly impressed with State of

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1. J. Duncan, An Account of the Discovery of Two Urns in the vicinity of Benares (Asiatic Researches, vol. V., p 131).
  2. A. Cunningham, Archaeological Survey of India, vol. I., pp. 113-114, of India.
  3. Ibid., p. 114.

Hindu learning in Banaras where they also observed, standing among other institutions, a famous astronomical observatory<sup>1</sup> built under the orders of Raja Jai Singh. Various branches of natural history were also encouraged. A qualified officer Dr. Francis Buchanan was appointed to collect the information and to digest and publish the results<sup>2</sup> of his researches.

Dr. Buchanan was directed to collect materials for compiling a true account of all the important quadrupeds and birds in the province of Banaras.<sup>3</sup> A small establishment<sup>4</sup> was also sanctioned to him. The principal civil and military officers were directed to instruct the medical officers under them to correspond with Buchanan on this subject and supply him necessary data whenever required by him.<sup>5</sup>

The ~~p~~ Post-Master General was directed to receive and forward free from postage all letters written by or addressed to Dr. Buchanan on the subject of his researches<sup>6</sup> in the Department of Natural History.

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1. George Foster, Journey from Bengal to England, vol. I, p.49.
  2. Banaras Correspondence, 1800-1820; vol. 8, p.75.
  3. Ibid., p.76.
  4. Ibid., p.78
  5. Ibid., p.79.
  6. Ibid., p.80.

## MEN OF LETTERS

Banaras was the principal seat of learning and culture. There lived not only many Sanskrit, Hindi and Persian Scholars but also many others who were patronised by Raja Balwant Singh and his successors.

### SANSKRIT SCHOLARS

1) Sukhlal Misra: He was born in Banaras. His two famous works are: Alankar Maniari and Springāṛṇāla.<sup>1</sup>

2) Nagaji Bhatta: He was a grandson of Bhattojī Dikshit. His classical work is Laghu Siddhant Kaurāṇḍi.<sup>2</sup>

3) Shanker Dikshit: He was born at Banaras and died in 1780 A.D. His important works are: Pradumna Vilāsa, Gangavatar Champu and Chetovilāsa, a treatise on the life of Raja Chait Singh.<sup>3</sup>

4) Charles Wilkins: The first Englishman, who acquired the knowledge of Sanskrit, was Charles Wilkins, who had been requested by Warren Hastings to take instructions from the Pandits of Banaras, the Chief Seat of Indian learning. As the first fruits of his Sanskrit studies, he published in the year 1785 an English translation of the Bhagwat Gita.

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1. M. Krishnamachariar, History of Classical Sanskrit Literature, pp. 516-517.
  2. Theoder, Aufrecht, Catalogus Catalogum, p. 283.
  3. Ibid., p. 623; Maharaja Banaras Vidya Mandir Trust, Acc. No. 2133/345.

For the first time a Sanskrit book had been translated<sup>1</sup> directly into an European language.

## H\_I\_N\_D\_I S\_C\_H\_O\_L\_A\_R\_S

1) Raghunath: It appears that he was a contemporary of Balwant Singh. He had written Kāvya Kalādhara (1745 A.D.) Rasik Mohan and Jagat Vinodhan (1700 A.D.). He had also written a commentary on Isk Mahotsava and Behari Satsai.<sup>2</sup>

2) Mukund Lal: He was contemporary of Bandijan. He had written Lal Mukund Bilas.<sup>3</sup>

3) Lal Kavi (1770-1781): He was one of the Court poets of Raja Chait Singh. He had written Rasmul and composed several poems about the Rajas of Banaras.<sup>4</sup>

4) Hari Prasad: He translated Bihari Satsai into Sanskrit at the instance of Raja Chait Singh.<sup>5</sup>

5) Chait Singh: Raja Chait Singh was himself a poet. He had written Lakshmi Nārāyan Vinod after his flight from

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1. M.Winternitz, vol. I, p.9.

2. Nagari Pracharini Sabha, Harilikhita Hindi Pustakon ka Sanehhipt Vivarana, vol. I, p.154, 319; vol. II, p. 242; Maharaja Banaras, Acc. Nos. 839/152, 840/153, 841/153.

3. Maharaja Banaras, Acc. No. 838/152.

4. Ibid., Acc. No. 848/153.

5. Nagari Pracharini, vol. II, p.28.

<sup>1</sup>  
Banaras.

6) Ugra Narain and Vaishnava Das: They had written commentaries on Bhaktmal and Priya Dās in 1787.<sup>2</sup>

7) Gokul Nath Bandijan: He was a son of Raghunath Bandijan. He had written the history of Chait Singh called Chet Chandrika and Govind Sukhad Bihār, Radha Krishna Vilās (1801), Ramgunāranya, Ramāyan, Kavi Mukh Mandan (1813) and Amarkosh (1813). He had also translated Mahabharat into Hindi at the instance of Raja Udit Narayan Singh.<sup>3</sup>

8) Gopinath Bandijan: He was son of Gokul Nath. He had translated entire Mahābhārat into Hindi verse and also composed several poems from time to time.<sup>4</sup>

9) Brahma Datta Unadhyaya: He was the Court poet of Dip Narayan Singh, brother of Raja Udit Narayan Singh. His two works are very famous Dip Prakāsh and Vidvilās (1809).<sup>5</sup>

10) Brij Lal Bhatta: He was a son of poet Man and Court poet of Raja Udit Narayan Singh. His important works are: Udit Kirti Prakash, Hanumat Palcharit (1819)<sup>6</sup> and Chandraratnakar (1824)

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1. Nagari Pracharini, vol. II, p.338.

2. Ibid., (1900-1958), pp. 29, 253.

3. Ibid., vol. I, p.425; vol. II, p.380; Maharaja Banaras, Acc. Nos. 27/148, 25/148.

4. Nagari Pracharini, vol. I, p.261.

5. Ibid., p. 425; vol. II, p.380.

6. Ibid., p.305; vol. II, p.808.



11) Dhani Ram: He had written Ram Gunodaya in 1810 and translated Bhaga Prakash into Hindi. He had also written commentaries on Ram Chandrika and Ramayan.<sup>1</sup>

12) Din Daul Giri: He was born in 1802 at Gaighat in Banaras. He was one of the famous poets of the time. He had left his mark on the history of Hindi literature. His prominent works are Anurag Bag (1821), Vishwanath Navaratna, Chakorpanchak, Dristant Tarangini (1822), Kashi Panchank, Anvakti Kalpadarun and Bago Bahar.<sup>2</sup>

13) Maniar Singh: He was a nephew of Raja Balwant Singh. He had written Bhavarth Chandrika in 1736.<sup>3</sup>

14) Mathura Nath Shukla: He was a son of Braj Raj. He was born in 1735, A.D. His important works are Churamani Shakoon, Chausar Chakra, Patanjali Tika Viras Battisi, Vivek Pancherit and Sutrenidh Patanjali.<sup>4</sup>

#### PERSIAN AND URDU SCHOLARS

1) Khair-ud-Din: He was born in 1751 A.D. at Allahabad. He was educated at Jaunpur. He had written Balwantnamah under the name of Tuhafa-i-Tazah at the request of Sir John Shore, the Governor General and the Jaunpurnamah, the valuable history of Jaunpur city. These works had thrown much light

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1. Ibid., vol. II, p. 270.

2. Ibid., vol. I, pp. 23, 26, 426; vol. II, p. 393.

3. Ibid., vol. II, p. 103.

4. Ibid., p. 345. 125

on those transactions during the administration of Warren Hastings, which his impeachment afterwards made so famous. His other works are: Jaunpurnamah (chronicle of the town of Jaunpur), Tazkiratul-Ulama (biographical notes on the Persian writers of Awadh, the Kitab-i-Alamshob (history from the time of Nadir Shah to the death of Mirza Najaf Khan), Ibratnamah (a voluminous history of the reign of Shah Alam II), Gwaliornamah (history of the Gwalior Fort) and several other works on Law, Rhetoric and Grammar. He was a contemporary of Raja Chait Singh and an eye witness<sup>1</sup> of many events which he had described.

2) Gulam Husain Khan: Gulam Husain, son of Himmat Khan, was well versed in Music and literature and a trusted courtier of Raja Balwant Singh. He was also a confidential counsellor of Raja Chait Singh, whom he did not desert even during the period of his exile and misfortune. His famous work is Tarikh-i-Benaras. The author traces the history of Mansa Ram's family from Kithoo Mishra of village Tetaria and brings it down to the 12th century A.H. It is written in a laudable style and is highly eulogistic to Mansa Ram<sup>2</sup> and Balwant Singh.

3) Shambhu Nath: He belonged to Bhuili of Pargana Chunar. He had composed Dewans in Bengali. He was selected

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1. Oldham, op.cit., vol. I, pp.98, 118.

2. Askari, op.cit., p.16.

by Raja Chait Singh, on the advice of Bhai Ram, to accompany Nanha Pandit, who was a priest in the service of Raja Chait Singh, on a secret mission to Calcutta.<sup>1</sup>

#### REFORMS AND SOCIAL WELFARE

It is to be observed throughout official proceedings of Duncan, that he introduced something of the spirit of a man of Science, as well as of a philanthropist into all the details of his work. He never failed to observe, record and report any of the defects and anomalies of the Muslim Law, which came under his notice. He first noticed the system of Rajput female infanticide and he was first to attempt its repression. He investigated with the utmost minuteness the habits of criminal castes and repeatedly brought them to the notice of the Government, "The pernicious influences of the Brahmanas, who, by their readiness to commit suicide and to wound themselves and murder their relatives, had established a complete reign of terror over all the Hindus of the province, who feared, by incurring their resentment, to become the victims of divine vengeance".<sup>2</sup>

FEMALE INFANTICIDE: The female infanticide was in existence in the province of Banaras in 1789. Duncan reported to the Government that it was <sup>a</sup>in frequent practice among the

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1. Ibid.

2. Oldham, op.cit., vol. II, p.88.

Raj Kumars to put their daughters as born to them, to death, by immediately causing the mothers to starve them"<sup>1</sup> and devised a plan to check it. He assembled the Raj Kumar Chiefs, reasoned with them and obtained from them a solemn covenant that they would renounce the practice.<sup>2</sup>

He also took similar agreement from the Baghuvanshis of Chandwak Taluka and Pargana Mungra in Jaunpur where similar practices were prevalent. He also suggested that pecuniary rewards should be offered to those who would assist in putting them down.<sup>3</sup> He directed the aml of Jaunpur to enforce the covenant and apprehend and send to Banarads any Raj Kumar who violated it. The above measures could not completely stop practices which were so deeply rooted but atleast greatly lessened.<sup>4</sup>

#### CRUELTY PRACTICES OF THE BRAHMANAS

The Brahman creditors and to some extent men of other castes, when unable to seize their debtors, were in the habit of sitting 'dharna' at their doors till they received the payment or died of starvation. Although the rates of interest enforced (sometimes as high as 40% per annum) were sufficiently high to tempt the lenders, yet for persons who

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1. B.R.C., Oct. 2, 1788, pp. 143-144.
  2. Ibid., Dec. 23, 1789, pp. 379-380.
  3. Ibid., p. 382.
  4. Ibid., pp. 384-385.

were unable to kill their debtors, and unwilling to sacrifice their own lives, it was wiser for them not to advance loan. In 1788 on an occasion a Brahman, having tried to procure payment of a debt by the process of sitting 'dharna', after a few days poisoned himself at the door of his debtor and his relations came and buried him there.<sup>1</sup> In December, 1788, a woman burnt herself to death because her husband had been arrested for arrears of revenue and a man who had been angered by some person went home and ripped up his belly. In March, 1789, a case occurred in which the Brahmans<sup>a</sup> cut off the head of three of their women and then twenty more of them got up a thatched roof and prepared to burn themselves.<sup>2</sup> In October, 1789, Duncan noticed a case where a Brahman having been arrested for debt, "his brother killed their mother under a fanatical delusion that the mothers spirit being awakened by the beating of a large drum for a forty days would forever haunt and torment and pursue to death the persons who caused his brother's imprisonment".<sup>3</sup>

Notwithstanding the frequent menaces, the Government was unwilling to outrage the popular feelings by the execution of any of the Brahmans. Though Duncan wanted to punish the Brahmans for their arrogance and lawlessness, but he

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1. Clidham, op.cit., p.187.

2. Ibid.

3. B.R.C., Oct.2, 1789, pp. 147-148.



did not want them to suffer the death penalty for murder because it would have offended the religious susceptibilities of the Hindus. He reported to the Government that the Brahmanas were exempted from the capital punishment.<sup>1</sup>

On January 17, 1789, a proclamation was issued threatening confiscation of the property and banishment of the family of Brahmana found guilty of killing their relatives. But it seems that his proclamation had no effect.<sup>2</sup> The number of Brahman murderers increased. The jails were full of them and they gave the Resident much trouble by refusing food and starving themselves to death. This was reported to the Government in August, 1790. The Government issued a proclamation that since to put a Brahman to death was contrary to the Books of the Hindus, therefore in deference to the said religion, in cases where by reason of intentional murder, a Brahman incurred the penalty of death, he was to be banished to an island called Pulao Penang (Prince of Wales Island).<sup>3</sup>

On November 21, 1790 dharna was also declared illegal. On November 29, 1793, the place of transportation for Brahmanas was changed to the Andamans, which, by a subsequent order of the 6th of June, 1794, was made the place of confinement for life prisoners of all castes.<sup>4</sup>

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1. *Ibis.*, Dec. 17, 1789, pp. 241-242.

2. *Ibid.*, Jan. 17, 1789, pp. 232-259.

3. *Ibid.*, Dec. 28, 1790, pp. 243-244.

4. Bengal Regulations, I, Appendix, p.254; Oldham, op.cit., p.189.

By Regulation XXI of 1795, the Brahmanas in the province of Banaras were prevented from establishing kurh<sup>1</sup> for wounding and killing their females, relatives or children or sitting dharna.<sup>2</sup> This Regulation, having from the gradual reformation of the habits of the people, become<sup>3</sup> obsolete, and was ultimately repeated in 1862.

#### SUPPRESSION OF OUTLAWS

Duncan took stern measures to suppress the autrocities committed by the dusadh's of Eastern Ghazipur who used to plunder boats laden with cargoes on the Ganges and the buddiks or Jackal slayer, the lawless banditti, who had<sup>4</sup> for some time past infested the province.

#### SANITATION AND HEALTH

The city of Banaras, owing to the narrowness of its streets and lanes and the largeness of the population, was

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1. A circular enclosure in which a pile of wood was constructed and an old woman was placed in the area to be burnt alive by the Brahmanas in the event of any Government Officer attempted to put them under arrest in default of payment of arrears of land revenue. It was supposed that the consequence of the crime would devolve upon those whose oppressions had driven the Brahmanas to perpetrate ~~in~~ this practice was prohibited by the Government. <sup>u</sup>
  2. Bengal Regulations, I, Appendix, pp. 251-252.
  3. Oldham, op.cit., vol. II, p. 189.
  4. Ibid., p. 184.

difficult to keep clean and healthy. In 1790 Duncan made an attempt to improve the sanitation of Banaras.<sup>1</sup> Receptacles were kept for filth and arrangements were made for removing it. Public latrine were constructed and attempts were made to keep the streets and lanes clean. These sanitary measures caused excitement among the people of the city. In consequence "a vast multitude of persons assembled in the outskirts and gave notice to the trades people and shopkeepers to shut up their shops, and to effect what is known in this country under the name of hartal or complete stoppage of business of every kind; threatening to plunder and rob those who should act otherwise".<sup>2</sup> The mob presented a petition to Duncan complaining that the whole of his arrangements were "a novelty which made them apprehensive and disturbed them".<sup>3</sup> Duncan was able to persuade them that the measures introduced had been designed for the good of the people and not from any sinister motives. After being convinced, the ring leaders departed and the mob returned home rejoicing and shouting.<sup>4</sup>

The attempt to enforce sanitary measures commenced in 1790 and was continued by Duncan to the end of his administration. A sum of Rs.5000/- per annum, saved out of the

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1. B.R.C., May 22, 1790, pp. 141-143.

2. Ibid., Aug. 24, 1790, p.457.

3. Ibid., p.458.

4. Ibid., pp. 459-466.

customs revenues, was spent on the establishment of the sweepers. A drain was constructed from the garden of Beni Ram Pandit to the Varuna river which carried off a considerable amount of stagnant water. The apathy of the inhabitants towards reforms of this kind remained, however, as strong as ever and in this report to the Government of the 2nd March, 1795, Duncan stated, "The inhabitants were so invincibly bent on adhering to their practices however prejudicial to their healths as well as to the general cleanliness of the place and expressed his opinion that all innovations even for evident advantages, should be very cautiously attempted as far as they may affect the various class and sects"<sup>1</sup>. He further reported to the Government "At least he had been able to remove one great nuisance to the Hindoos, by causing the Sambles that were within the city to be fixed in the suburbs and cutting a large course of water to drain off the stagnant water in the city"<sup>2</sup>.

In January, 1811, by promulgating Regulation XV of 1810 the Government imposed a house tax or light assessment on the shops and houses of the cities and main towns in the Company's dominion. About the 10th of January, 1811, the inhabitants of Banaras assembled in a tumultuous manner and resisted against the enforcement of the above law.<sup>3</sup> The

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1. Ibid., March 2, 1795, p.82.

2. Ibid., p.83.

3. Banaras Correspondence, Jan. 10, 1811, pp.7-10.

Government then issued a proclamation warning the refractory elements of the serious consequences of their behaviour, and decided not to rescind the regulation. Against this, the most objectionable posters were paraded on the streets. The Collector offered a reward of Rs. 500/- for every man with whom such papers were found. Daily the seditious and unauthorised proceedings of the people continued, <sup>and were</sup> and encouraged by the religious orders. The entire population was in rebellion trying to resist the Government orders and achieving compliance of their demands. Their attempt to bring an injunction through the provincial court failed. Ultimately, after rioting for two weeks, through the good services of Sayed Akbari Alikhan, Maulavi Abdul Kadir Khan, Amrit Rao and Babu Jamuna Das merchant, the Raja of Banaras interceded on their behalf and tranquility was restored.<sup>1</sup>

#### H\_O\_S\_P\_I\_T\_A\_L

A charitable hospital was founded in 1787 by Duncan, who granted a Jagir yielding Rs. 2400/- per annum as remuneration for relief to the indigent and alien sick in Banaras. This was the nucleus of the present Shoo Prasad Gupta Hospital. A full time surgeon was also posted in this hospital.

Banaras was an important city, with more population than Dacca and Murshidabad. But it was too congested, with

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1. B.R.C., <sup>5,</sup> March, 1811, pp. 103-107.



houses located in narrow lanes. Diseases and street accidents took a heavy toll of lives. The necessity of a general hospital was thus keenly felt. In March, 1811, the local Europeans, headed by W.A. Brooke, the Agent for the Governor General at Banaras, submitted to Lord Minto a proposal for the establishment of a hospital and dispensary in the city, beneficial to the citizens of all the districts of Banaras province. Although the public institution was exclusively meant for Indians, yet the sponsors desired to have the superiority of European control. Co-operation and generous funds from the public of Banaras and even from Calcutta were expected and many had already professed willingness to help in the philanthropic venture. The subscribers were to have the right to recommend patients. Dr. James Robinson, Assistant Surgeon, was proposed as Surgeon. A prospectus of the plan in Persian and English appeared in the Gazette. The scheme was later on accepted.<sup>1</sup>

In June, 1809 the Government sanctioned the necessary funds for constructing a hospital for accommodating the insane persons belonging to the Banaras province. Admission and discharge of patients was regulated. On April 14, 1812, the building was completed and provided with a doctor and staff, as well as allowances for each

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1. *Ind. Selections from English Records, Banaras Affairs*, vol. II, p. XXIII.

patient. The expenditure was to be paid by the civil court, and the civil surgeon was declared the appointing and controlling authority of the institution. The judges of the circuit and the city magistrate were appointed<sup>1</sup> visitors.

#### REFORMS FOR INFANT DELINQUENTS

On September 6, 1811, A. Watson, Collector of Banaras, submitted to the supreme government a plan for reforming the infant delinquents in order to prevent crimes among them. These defaulting children were of four types: vagrants engaged in profligacy and disorderly life; those born of criminals and beggars; Hindu children kidnapped or otherwise possessed by Muslims and deserted after conversion; and orphans as well as new borns abandoned by mothers in the streets.

An asylum for the upkeep of such children with psychological treatment for their disabilities was advocated. These children had a daily allowance for support and clothing and nursing facilities, if necessary. They were to be maintained up to a certain age for being trained as artificer, mechanics and in vocations "best calculated for national utility". Muslims and high caste Hindu children were to receive education in morals, reading and writing. The asylum was established at Chunar<sup>1</sup> in 1811 under an<sup>2</sup> European Superintendent, doctor and treasurer.

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1. Banaras Correspondence, April 14, 1812, pp. 119, 124.
  2. Ibid., Sept. 6, 1811, pp. 172-173.

A fund from "the gains of the persons brought up in the Reform" also served the disabled delinquents<sup>1</sup>".

### SLAVE TRADE

The survival of the practice of purchasing young slaves for the purpose of making them eunuchs and to be later disposed of by sale was noticed. The right of ownership over a slave was not forfeited by making such slave an eunuch either under the Mohammadan or Hindu law. But the castration of any person, whether a slave or otherwise, was considered to be criminal and punishable by Mohammadan Law, specially if the offender was proved to have made his profession.

On April 27, 1796, it was regarded as a crime of heinous nature. If any one was found to have indulged in such profession, he was brought before the court of circuit and exemplary punishment was awarded to him.<sup>2</sup>

### KIDNAPPING OF CHILDREN

The practice of selling children to ~~possessing~~ in Banaras was also stopped by an order of December 30, 1796. In cases of kidnapping and violence, it was the duty of the magistrate to interpose his authority and punish the offenders according to law.<sup>3</sup>

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1. Ibid., Sept. 6, 1811, pp. 172-175.

2. Mirzapur Correspondence, April 27, 1796, vol. No.43, pp.49-52.

3. Ibid., Dec. 30, 1796, pp. 149-150.

### CONSTRUCTION OF ROADS AND BRIDGES

The roads in the province of Banaras during the advent of British administration were in the worst possible condition. There were, in fact, unbridged tracks, hardly deserving the name of a road. In October, 1788, Duncan reported that roads, even in the vicinity of Banaras, were in an impassable state because there were no funds for their repairs.<sup>1</sup> He suggested that the Government did not like to bear the expense of the repairs. They should be made one of the charges of the Raja Sadar a kachehari. In December, 1789, orders were issued to the gails to keep the high ways and roads within their respective limits, in a proper state of repair; and they were directed to consider the charge of the roads as one of the indispensable duties of their station. The zamindars and farmers were required to supply labourers and defray expenses within their respective limits but no tax on this account were to be collected from the ryot.<sup>2</sup> On September 22, 1793, Treves, Acting Resident, reported to the Government the shocking state of roads and bridges in the neighbourhood of Banaras and applied for a sum of Rs.3000/- for the repair of ten or twelve small bridges which was sanctioned.<sup>3</sup>

In 1789 Duncan made a grant of Rs.2000/- for the repair of the great bridge of Jaunpur, built during the

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1. Oldham, op.cit., p. 207.

2. Ibid.

3. B.R.C., Sept. 22, 1793, pp. 216-217.

reign of Akbar and also appropriated a small amount from the customs receipts for the repair of roads.<sup>1</sup>

At this time a road was under construction from Calcutta to Banaras by the way of Sherghoti; but on a scale very different from that of the Grand Trunk Road which was constructed afterwards. The road was 15 feet wide, with drains six feet wide on either side, and the Executive Engineer in charge of it made a proposition in May, 1789, that a strip of 6 feet wide ground should be left uncultivated between the road and the cultivated fields to allow the road being subsequently raised and widened.<sup>2</sup> In the final arrangement of 1794 one lakh of rupees was allotted for the construction of a strong bridge over the river Varuna which now connects the civil station of Sikrol with the city of Banaras. It is to be regretted that in these arrangements a fixed annual allotment of the surplus revenue was not set apart for the construction and maintenance of roads.

#### MEASURES TO COMBAT DROUGHT AND FAMINES

Effective measures were taken to combat drought and famines. During his administration the great anxiety shown by Duncan was to avert the danger of famine and to watch the prices of <sup>grain</sup> with utmost vigilance.

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1. Khair-ud-Din, Jauhar-nama, p. 72 (Translated by W.R. Poyson).

2. Oldham, *op.cit.*, p. 207.



In 1788 and 1789 the people of the province were living from hand to mouth. The barley which, in April, 1788, had been selling in Banaras at the rate of 80 seers per rupee, in December was selling at more than three times that price, viz., 28 seers per rupee. There was no accumulation of <sup>grain</sup> ~~grain~~; supply could not be procured readily from other parts of the country and the price of grain was liable to become suddenly high from other causes besides failure of rains or scanty crops. The desolation of the district of Azamgarh by the Nawab Wazir's ~~mail~~ in 1788, aggravated the scarcity felt in Banaras. The measures adopted by Duncan during the period of scarcity <sup>1</sup> were:

- 1) To prohibit exportation of grain,
- 2) To take off duty on imported grain,
- 3) To make purchases on account of the Government in the adjacent districts.
- 4) To issue regulations regarding the quantity of grain to be purchased by individuals in the market and to exert his influence to procure good variety of seeds for cultivators from grain dealers.
- 5) To make large advances of <sup>cc</sup> ~~talavi~~ through the ~~mail~~ for the purchase of seed and for the digging of wells.

Magistrates were directed to be attentive for due supply of grains to be obtained and kept up for the use

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1. Ibid., p.206.

of the towns under their charge so that the prices were not raised.

The customs houses were also directed to prevent the exportation of all kinds of grain from the province of Banaras.<sup>1</sup> The merchants were directed to supply the poor with grain as "they not being duly furnished with, or being able to procure the necessity of life, may become a matter of great reproach to Government". In 1791 a sum of Rs. 35,990/- was sanctioned for the distribution of facari.<sup>2</sup> In 1794 the Governor General determined, as security against famine, to erect granaries and to store grain in good season for sale to the public in the times of scarcity. The Resident was authorized to purchase 1,65,000 maunds of grain, details of which are given below. Sufficient security was taken from the contractors to supply the grain. The grain was delivered to the golas free of charge. The golas were constructed quite strong and precautions were taken against fire and flood. A monthly account of the grain was furnished to the accountant of the Board of Revenue.<sup>3</sup> Purchase of old grain was prohibited.

|               |         |        |
|---------------|---------|--------|
| Wheat. . . .  | 10,000  | maunds |
| Barley. . . . | 100,000 | "      |
| Peas. . . .   | 30,000  | "      |
| Other . . . . | 25,000  | "      |
| grains        |         |        |

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1. B.R.C., Oct. 18, 1788, p. 203.
  2. Oldham, op.cit., p. 206.
  3. B.R.C., Oct. 31, 1794, pp. 513-515.

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|               |         |        |
|---------------|---------|--------|
| Wheat. . . .  | 10,000  | maunds |
| Barley. . . . | 100,000 | "      |
| Peas. . . .   | 30,000  | "      |
| Other . . . . | 25,000  | "      |
| grains        |         |        |

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1. B.R.C., Oct. 19, 1788, p.203.
  2. Oldham, op.cit., p.206.
  3. B.R.C., Oct. 31, 1794, pp.513-515.

The granaries were constructed at Banaras, Mirzapur, Ghazipur, Jaunpur and Chunar. The boarding capacity of these granaries were as follows:

|                   |       |               |
|-------------------|-------|---------------|
| 5 at Banaras for  | ....  | 80,000 maunds |
| 2 at Mirzapur for | ....  | 32,000 "      |
| 1 at Ghazipur for | ....  | 16,000 "      |
| 1 at Jaunpur for  | ..... | 16,000 "      |
| 2 at Chunar for   | ..... | 21,000 "      |

These granaries were maintained till 1801, when their abolition was ordered on the ground that they had become unnecessary owing to increased cultivation and extensive production of grain.

On March 11, 1796, an order was issued for the proper upkeep of the accounts of the grain stored in the granaries. Several registers were maintained for recording the arrival of various types of grain in the granaries, quantity of the grain purchased and lost or destroyed, and the quantity sold or delivered to other granaries <sup>and</sup> in the profit and loss etc. A cash book was kept for showing the daily receipts and disbursements. An inspector was appointed to supervise and prepare a monthly estimate of the supplies to be required in each district.

On June 6, 1796, grains were transported for other districts and stored in the granaries for the emergency.<sup>2</sup>

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1. Banaras Correspondence, March 11, 1796, pp. 109-110. (Misc. revenue).

2. Ibid., June 6, 1796, pp. 36-37.

### CONSTRUCTION OF EMBANKMENTS.

With a view to promoting the cultivation and protecting the country from inundations, new embankments were constructed and old ones were repaired.<sup>1</sup> An embankment was erected to save the city of Banaras near Shevala Ghat from the encroachment of the Ganges.<sup>2</sup>

### CHARITABLE PENSIONS

On the social side some praiseworthy attempts were made to ameliorate the conditions of aged and infirm persons by granting them charitable pensions and allotting waste lands to the invalid soldiers. Duncan was authorized by the Government on February 11, 1791, to restore such pensions to those who, on account of age or infirmity, were the real objects of charity.<sup>3</sup> The restoration of the pensions was thus alluded by Duncan in his address of the 4th of August, 1792:

"I know nothing that can prove more salutary in point of humanity and justice, and I have certainly felt gratification in being the instrument of rescuing so many helpless (for none else have been admitted) objects from gripping and hopeless misery. The expense incurred in this account in 1198 amounts as to Rs.13,791, and and with some

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1. B.R.C., Feb.II, 1802, pp. 125-131.

2. Ibid., Jan.22, 1796, pp.56-57.

3. Bengal Regulations, I, p-330; Oldham, op.cit.,p.330.



addition, since made, does not yet exceed Rs.14230-5-3.  
So that the charge is still within the sum of Rs.15000/-  
limited for this really charitable institution, as noticed<sup>1</sup>  
in the 140th para of my letter of the 25th November, 1790".  
By regulation XXXIV, Section VI, of 1795 these pensions  
and grants were sanctioned to others in the event of the<sup>2</sup>  
death of pensioners.

Government was very sympathetic towards the invalid  
soldiers. In 1788 a plan was prepared by the Government  
with an object to giving adequate relief to the Indian  
soldiers in the Company's service. 1500 bighas of waste  
land were allotted to them in the province of Banaras in  
1788. This scheme solved the double purpose of providing  
relief to the disabled Indian soldiers and of increasing  
the land cultivation. Under Regulation XLIII of 1795  
the lands were allotted to the invalid soldiers in the  
province of Banaras according to their ranks; details of  
which are given below:

- |   |            |
|---|------------|
| 1) Commander of infantry<br>and Rissaldar of cavalry. . . . . | 600 bighas |
| 2) Subahdar of cavalry. . . . .                               | 400 "      |
| 3) Jamadar of cavalry/<br>Jamadar of infantry. . . . .        | 200 "      |
| 4) Havildar of Infantry. . . . .                              | 120 "      |
| 5) Naik. . . . .  | 100 "      |
| 6) Sepoys, Tendals, Lascars, etc.                             | 80 "       |

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1. B.R.G., Aug.4, 1792, pp. 99-100.

2. Bengal Regulations, I, pp.330-331.

A gratuity in cash was also granted to them to meet the initial expenditure of cultivation in the following proportion to each rank entitled to receive it.

|                     |            |
|---------------------|------------|
| 600 bighas. . . . . | Rs.150-0-0 |
| 400     " . . . . . | Rs.100-0-0 |
| 200     " . . . . . | Rs. 50-0-0 |
| 120     " . . . . . | Rs. 30-0-0 |
| 100     " . . . . . | Rs. 20-0-0 |
| 80      " . . . . . | Rs. 15-0-0 |

The above gratuity was paid to the invalid soldiers by the Resident or Collector when <sup>actually</sup> ~~actually~~ they had started the cultivation of land.<sup>1</sup> ^

#### SUPPRESSION OF RIOT

A serious disturbance took place in the city of Banaras on October 21, 1809, originating in a religious dispute between the Hindus and Muslims. The assistance of military aid was sought and it was subdued without any blood-shed. It appears from the letter of W.W.Bird, the Magistrate, addressed to the Secretary to the Government on October 23, 1809, that the first outrage was committed by the Julahas (Muslim weavers) who profaned and destroyed on the evening of the 21st of October a place of Hindu worship held in great veneration at Lat Bhairava. It was

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1. Ibid., July 28, 1795, p.286.

done with the connivance of the police of Muslim religion. The Hindus collected next day in the morning <sup>to</sup> retaliate and destroyed many mosques (masjids). The Muslims suffered severely both in life and property until the evening, when the military force was requisitioned, which paraded the whole city to keep both the parties in subjection. Thus the riot was suppressed. It was the first Hindu Muslim riot which took place <sup>in</sup> <sup>1</sup> Banaras.

### C\_E\_N\_S\_U\_S

Reference may also be made here to the first census carried out in Banaras. The following facts were revealed. In the year 1803 a census was conducted by the kotwal of Banaras under the orders of Mr. Deane, the city Magistrate. According to his report, there were about 30,000 houses and 6,00,000 inhabitants in Banaras. But after a close scrutiny of the data, on the basis of which this assumption was made, would prove its utter fallacy; for the average inmates to house in India had nowhere else been reckoned higher than five or six, whereas the kotwal had assumed as high a number as twenty. In 1828 and 1829, J. Prinsep made an official revision of the census, and completed a register containing the number of houses, the names of owners, number of family members in each house, and their professions. The following is an abstract of the result:

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1. Banaras Correspondence, Judicial Letters issued and received, 23, 1809, pp. 158-160.

- 1) Number of muhallas or streets. . . . . 369
- 2) Number of houses of all sorts, of which .  
12000 were of bricks and stones. . . . . 30,205
- 3) Number of Hindu temples. . . . . 1,000
- 4) Number of mosques (masjids). . . . . 333
- 5) Total number of Hindu inhabitants. . . 1,81,482
- 6) Total number of Muslim inhabitants.. . 40,000

The above list did not include the Europeans who were stationed at Sikrol and the inhabitants of the contiguous villages, which were found to contain 3000 houses and 18,968 inhabitants.

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## C\_O\_N\_C\_L\_U\_S\_I\_O\_N

Muhammad Shah gave Murtaza Khan, one of his courtiers, a jagir comprising of four sarkars of Banaras, Jaunpur, Ghazipur and Chunar in 1719. Murtaza Khan entrusted the management of these sarkars to one of his relations Mir Rustam Ali Khan, for a consideration of five lakh of rupees annually. About 1728 Murtaza Khan leased his jagir to Saadat Khan, subahdar of Awadh for an annual sum of seven lakh of rupees, who allowed Mir Rustam Ali Khan to continue to manage the state for eight lakh of rupees annually. Mir Rustam Ali Khan retained the charge of these sarkars till 1738, when he incurred the displeasure of Saadat Khan, and three sarkars of Banaras, Jaunpur and Chunar were made over to Mansa Ram on payment of an annual revenue of 13 lakh of rupees in the name of his son Balwant Singh. Thus the first connection of the family of the "Banaras Raja" with the three sarkars of Banaras, Jaunpur and Chunar began in the year 1738. The sarkar of Ghazipur was given to Balwant Singh on payment of an annual revenue of eight lakh of rupees in 1761.

Balwant Singh was a powerful Raja and very much attached to the Company. The Court of Directors praised his signal services which he rendered to improve and safeguard their affairs. In consequence of those services, he was, by an article in the treaty of Allahabad in 1765, made



independent, Lord Clive made it a special article in the treaty that Balwant Singh should retain possession of those territories which belonged to him and he guaranteed those territories by British faith armed with British power. This treaty remained in force for a considerable time without any attempt having been made to infringe it. Chait Singh succeeded his father on October 10, 1770, with the same rights and privileges as were enjoyed by Balwant Singh. He was considered as holding his position exactly under the protection and guarantee of the treaty of Allahabad. This treaty continued till the year 1773, when Hastings proceeded to Banaras from Calcutta to renew on behalf of Raja Chait Singh, the stipulations that had been made with his father in consideration of his services. It seems that he went up to Banaras for the purpose of not conveying any new right to Chait Singh but for the purpose of renewing his old rights. On May 21, 1775, a treaty was signed at Lucknow between Asaf-ud-Daulah and the East India Company, by which the Nawab agreed to transfer to the Company the overlordship<sup>of</sup> all the districts in the possession of Raja Chait Singh together with the land and water duties. This transfer did not affect any diminution of Raja Chait Singh's rights and status. On the other hand it raised his status, when on April 15, 1776, a sanad was granted to him by the British Government, confirming him in the zamindari of the province, and making over to him the civil, criminal and police jurisdiction of Jaunpur and Banaras, the mint of

of Banaras, the customs duties and a number of monopolies on condition of paying Rs.22,66,180 per annum. On December 23, 1775, Graham was appointed as a Resident "for the purpose of transacting any occasional business which may arise between the Government and Raja Cheyt Singh<sup>1</sup>".

After the execution of the treaty, the Governor General on the 12th of June, 1775, laid before the Board a minute with his observations respecting the arrangements to be made with Raja Chait Singh which was beneficial to the Company without any encroachment on the rights of the Raja or the engagement actually subsisting with him. He proposed that Raja Chait Singh should pay to the Company, in equal monthly payments, the yearly tribute of Rs.22,44,449 in sanwat rupees, that he was empowered to exercise a complete and uncontrolled authority over his zamindari under the acknowledged sovereignty of the Company; that he was required to maintain a body of 2000 horses available at all times for the service of the Company; that while the Raja would continue faithful to these engagements and punctual in his payments, no further demand was to be made upon him by the Company of any kind; nor, on any pretence whatsoever, any one would be allowed to interfere with his authority or disturb<sup>ed</sup> the peace of his country. At the conclusion of this minute the Governor General observed, "That the voluntary restraint laid by the Government on its own actions will afford the Rajah the greatest confidence, and naturally inspire him with sentiments of fidelity and

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1. B.R.C., Dec. 23, 1776, pp. 2-3.

attachment, both from the principles of gratitude and self interest, without some such appearance he will expect, ~~the~~ with every change of Government, additional demands to be made upon him, and will of course, descend to all the arts of intrigue and concealment practised by other dependent Rajahs, which will keep him indigent and weak and eventually prove hurtful to the Company. By proper encouragement and protection he may prove a profitable dependent, a useful barrier and even a powerful ally to the Company; but he will be neither if the conditions of his connection with the Company are left upon to future <sup>a</sup> variations".<sup>1</sup> On the 5th of July the Board agreed to the above proposals of the Governor General excepting in the article to oblige Raja Chait Singh to keep a body of 2000 horses, they resolved indeed to recommend the same to him, but declared that there would be no obligation on him to do so.

Hastings in his Narrative clearly stated, "On the succession of the Nabob Asaff-ud-Dowlah the rights of sovereignty which were held by him over the Zameedary were transferred by treaty to the Company. Those rights were indisputably his, and became by his alienation of them as indisputably the Company's; and every obligation of fidelity and obedience which is due from a Zameedar to the superior Magistrate by the constitution of Hindustan became as much the right of the Company from Chait Singh, it had

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1. Home Public, Letter from Court, Aug. 28, 1782, Para 47, p.150.

been due to his former sovereign, with this additional ties of gratitude for the superior advantages which he was allowed to possess with his new relation. The unexampled lenity of our Government in relinquishing to him the free and uncontrouled rule of his Zemeedary subject to a limited annual fine, and the royalties of the mint, administration of justice, and police, ought to have operated as an additional claim on his fidelity; but evidently served to stimulate his ambition, and perhaps to excite in his mind an opinion that he possessed an inherent right of self-dependency"<sup>1</sup>. I have Hastings' own testimony to prove that the rights of sovereignty were not to interfere with the rights of the Raja, when, in the year 1773, he intervened to prevent Shuja-ud-Daulah from seizing the forts of Bijaigarh and Latifpur and exacting ten lakh of rupees over and above the stipulated tribute.<sup>2</sup> It then appeared that the Raja possessed certain rights which were on no account to be infringed. Hastings himself intervened to prevent Nawab Asaf-ud-Daulah levying five lakh of rupees in advance of the stipulated tribute, though it was for the purpose of making good a payment to the Company. He authorized Bristow, the Resident at Lucknow, to declare that the rights of Company's dependents were not to be infringed upon; that Raja Chait Singh should be considered in this light and the wazir must see him protected, for he was not to be put up on a footing with

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1. Hastings, op.cit., pp.8-9.

2. Ben.S&Cons., Oct. 4, 1773, p.540.

his other zamindars.<sup>1</sup> He was then, it seems, upon a footing something better than that of a mere zamindar even when the administration of justice had not been conferred upon him and he was not invested with the symbols of sovereignty i.e., the profit of mint and the administration of justice and police.

By a sanad dated April 15, 1776, Chait Singh was allowed to possess superior advantages. "A free and uncontrolled rule in his Zemcedary subject to a limited annual fine, and the royalties of the mint and administration of justice, and police, which ought to have operated as an additional claim on his fidelity".<sup>2</sup> It appears that Raja possessed not only all the rights of a free and uncontrolled authority in his zamindari which he had enjoyed under his former sovereign but he possessed them with the superior advantages which the "unexampled lenity" of the East India Company had bestowed upon him. He possessed them and had to pay only a limited annual tribute. He enjoyed exemption from every other kind of exaction. But this "unexampled lenity" bestowed by the Company had been violated and trampled by Hastings himself.

Let us examine here how far the principle of levying any sum, "that the discretion of the sovereign might think it necessary or expedient to impose on his Vassal", is

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1. Select Committee, V., p. 459.

2. Hastings, op.cit., p. 9.



justifiable. For this, one of the arguments of Hastings was that according to the constitution of India a vassal was required to assist, in times of emergency by extraordinary aids. In July, 1788, Hastings wrote to the Raja that in consequence of war having been declared between France and England it had been decided to call upon him to contribute a sum of five lakh of rupees as his share towards the defence of the empire.

The demand made upon Chait Singh was malicious. Hastings' pretension that there was war between France and British Empire was not correct, for he had no authentic instructions from England and his treasury was full and there was no necessity to make this demand upon Chait Singh. As the right to make the demand had been uncontested, the demands were again renewed in 1779 and 1780. Chait Singh protested against these demands which was alleged to the ruin of Col. Comacs' detachments. This demand was unjust. Not only the delay but an absolute refusal could not have been criminal. Chait Singh refuted the charges thus: "It being no time to delay, notwithstanding this, I was not a moment inattentive to this concern, and as soon as my ~~box~~ arrived, I paid immediately the remaining part of the sum. The remitting of this to the army did not depend upon me; if any delay happened on this head, I could not help it".

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1. Hastings, op.cit., p.18; Select Committee, pp.477-478.

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1. Hastings, op.cit., p.18; Select Committee, pp.477-478.

In addition to the above demands, Hastings first demanded two thousand cavalry, then fifteen hundred and afterwards one thousand. To the last demand Chait Singh made an offer of five hundred cavalry and five hundred matchlockmen and wrote to Hastings that these troops were ready to go to whatever place, they should be sent. To this letter Chait Singh received no answer and Hastings in his Narrative admits the fact thus, "I do not know but it may be true"<sup>1</sup>. This demand was also unjust and as such Hastings had no right to make, because it was clearly stated in the sanad of April 15, 1776, that the Council further recommended him to keep up a body of 2000 horse<sup>s</sup> but there would be no obligation on him to do so, because there was no engagement by which Chait Singh was obliged to maintain any cavalry, or by which the Company were bound to pay him for any cavalry which they might at any time require from him. Hastings was guilty of making a demand which he had no right to make.

Hastings believed in the rumours and false reports given by the opponents of the Raja, that Chait Singh was in secret communication with the Marathas to exterminate the British power from Calcutta, and extend his dominion from Banaras to Bengal. Rumours had also reached him that Chait Singh had inherited a vast mass of wealth from his father Balwant Singh, which he had deposited in his two

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1. Hastings, op.cit., p.27.

fortresses of Bijaingarh and Latifpur and made yearly addition to it. Taking into consideration the independent attitude, wealth, fortresses, military force and retainers of Chait Singh, Warren Hastings decided that Chait Singh as an over powerful vassal <sup>had</sup> grown insolent and consequently, a source of danger to the state. He even threatened to seize his treasures and forts <sup>yes</sup> and sell his lands to the Nawab of Awadh.

Now Hastings was <sup>now</sup> determined to plunder Chait Singh and for that end to pick quarrel with him. Before he left Calcutta, he had decided to inflict on Raja Chait Singh a fine of fifty lakh of rupees. In the event of his refusal to pay the fine, either to depose him or to make over his country to the Nawab of Awadh. He had also determined "to make him to pay largely for his pardon, to exact a severe vengeance for his delinquency and to draw from his guilt the means of relief to the Company's <sup>1</sup>distress".

Chait Singh received him at Buxar with civility but no display of real or seeming contrition could now turn the latter aside from his fixed purpose.

After reaching Banaras, the first act of Warren Hastings was to decline interviews to the Raja and transmit him a detailed statement of his offences.

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1. G.W. Forrest, Selections from the State of the Governor General of India, Warren Hastings, vol. I, p.222.

The Raja refuted the charges but his explanation was not found only "unsatisfactory but also offensive in style", and on this the Governor General ordered Markham, the Resident at Banaras, to arrest the Raja. The Resident executed the order and the Raja was put under arrest. Chait Singh sent secret message from his prison to his kinsmen at Ramnagar across the Ganges for effecting his release. A good number of armed men from the palace of Ramnagar swiftly crossed the river Ganges, and being infuriated by their <sup>in-</sup>dignity heaped upon their ruler in his own capital and suddenly attacked and massacred companies of the British troops with their officers. Almost all officers of the two companies had been killed. In the midst of confusion the Raja found means to escape to Ramnagar from where he proceeded to Latifpur with his family.

It appears that in the beginning Chait Singh's intention was not to rebel and throw off obedience to the British Government. It can clearly be refuted by the small number of troops which Hastings took with him to Banaras and Chait Singh placed his turban on the lap of Warren Hastings in one of the interviews at Buxar. Had Chait Singh pre-planned the whole affair, he would have certainly proceeded to the Governor General's quarter in the 'Madho Das Garden' where Warren Hastings along with other Englishmen with him would have fallen an easy prey. But this catastrophe was averted and the escape was



probably to be attributed to the irregularity and disorder which marked the entire proceedings ending in the rescue of the Raja. Even the Court of Directors had condemned this action of Warren Hastings for demanding from Chait Singh the special sum of fifty lakh of rupees in addition to his regular tribute and for imprisoning him on his failure to do so.<sup>1</sup>

Hastings became alarmed for his own position at Madho Das Garden which, there was reason to believe, was intended to be attacked. For a few days Hastings along with his two or three companions hid in a heap of dry leaves without having any food or water. A hasty retreat was now desirable and Hastings's party in consequence moved to Chunargarh by boat, leaving the wounded sepoys under the care of Sandat Ali Khan, who not only protected them from Chait Singh's vengeance but supported them with provisions, money and medical aids.

Raja Chait Singh wrote several letters to Warren Hastings at Chunar expressing his regret for the massacre at Shewala Ghat and apprized him that the massacre was caused due to the insolent behaviour of Chet Ram, chobdar, which his men could not tolerate. But the absence of a reply on the part of Hastings disappointed him and compelled him to take arms against the British. Burke also

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1. Home Public, Letter from Court, August 28, 1782.

Peras 50-51.

testified this fact and remarked, "His unfortunate victim was goaded to revolt and driven from his subjects, although he endeavoured by message after message to reconcile his cruel tyrant to him. He is told in reply, you have shed the blood of English men and I will be never reconciled to you."

Now Hastings found himself plunged in a decided war. He issued orders to various military stations for assistance. Chait Singh stopped all communications. No intelligence could be received up and down the country. The dak harkaras as well as any one suspected of being in any way connected with the English, were killed. Chait Singh had also issued orders to all the zamindars and officers of the Government to put every European to death and punish the Indians who were either found in the service or connected with the English and to exert themselves in promoting an insurrection throughout the country for which they would be suitably rewarded.

Chait Singh strengthened his position in his fortresses of Pateeta and Latifpur, the approaches of which were strongly guarded, especially those of Latifpur which he described as unsassailable. But the secret routes leading to the key positions were betrayed by two persons; one of them Handlal, a yakil of Ranjitsingh Singh, Commander of the fort of Pateeta, led the British forces to Pateeta; while

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1. Burke, op.cit., p.295, para ~~50-51~~.

Bandhoo Khan, a pyadsh of Chunar, showed the path between Pateeta and <sup>Chhatishgarh</sup> ~~Saktishgarh~~. In consequence, the fortresses of Pateeta and Latifpur were captured and Raja Chait Singh proceeded to his last resort the fortress of Bijaigarh. But due to loss of his brave leaders and poor response from the Chiefs and the Rajas on whom he had depended, he found himself unsafe there and decided to quit Bijaigarh and go to south to seek the help of powerful chiefs there.

The seizure of this fortress by the British closed the brief but brilliant campaign. Warren Hastings wrote particularly to those through whose territory the Raja was to pass, such as the Rajas of Gohad, Bundelkhand, Bundi, Baghel Khand and Sindhia of Gwalior advising them not to give shelter to Raja Chait Singh.

Mahadaji Sindhia showed unbounded consideration and bestowed on him a jagir of five lakh of rupees. Chait Singh pressed him to undertake a campaign to recover the Banaras Raj and promised to pay twenty five lakh of rupees but the later<sup>+</sup> demanded seventy-five lakh and consoled him with false promises of undertaking the campaign of Banaras. Even when he planned to take Banaras it was for himself<sup>1</sup> than for Chait Singh. The discontented Chait Singh died at Gwalior on March 28, 1811. A pension<sup>was</sup> also sanctioned for the maintenance of his widow and son, Balwant Singh. Most probably the pension was about Rs. 2000/- per annum or something more. It appears that if Raja Chait Singh

PA III, 188.

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1. M.S.K.N.S. 198, 357; P.A. II, No. 157; P.R.C. I, Nos. 59. 62. 63.

had received complete support and assistance from the neighbouring Rajas and chiefs, he would certainly have regained the Banaras Raj.

As a punishment for his rebellious conduct Chait Singh was deposed and the next reversionary heir of the reigning family, Mahip Narayan Singh was made the Raja of Banaras on the 30th of September, 1781, with a fresh sanad confirming him in the possession of four sarkars in perpetuity, with complete jurisdiction over them raising the amount of the Company's tribute from rupees 22,66,180 to <sup>1</sup>Rs. 40 lakhs.

In order to keep the new Raja away from the temptation of pursuing the example of his predecessor, the power of raising forces and erecting and maintaining fortresses was taken out from his hands, as also the power of mintage and the civil and criminal jurisdiction of the town of Banaras. Thus the whole administration passed into the hands of the British. Although revenue was still under the Raja, yet it was under the management of naih Durgvijai Singh and the Resident, who guided the Raja in the administrative matters and saw that the tribute was regularly paid. Thus began the process of decay and encroachment upon the rights of a ruler, whose ancestors were encouraged by the British Government to enter into a treaty and their independent status was always recognized.

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1. Aitchison, op.cit., pp.53-57.

Unfortunately Raja Mahip Narayan Singh suffered from congenital infirmity both mental and physical. The administration was consequently not all that might have been desired. The naib Durgvijai Singh, proved equally incompetent and was removed in favour <sup>of</sup> a series of others, none of whom proved their worth. Therefore, Warren Hastings forwarded to the Council an elaborate plan for reforming the administration of the province. Under the provisions of this plan the naibs were invested with full and complete power of administration in the name of the Raja, assisted by an official called amin; the Raja's seal and signature were required to be affixed to all official papers by way of authentication; the Resident at Banaras was authorized to supervise the working of the naib, and keep himself informed of the financial transactions of the province through his mutsaddi; the appointment of the amils was to be made by the Raja and the naib in consultation with the Resident. The same procedure was adopted to settle the land and making other physical arrangements of the zamindari; The surplus collection, remaining in hand after payment of the Company's tribute of Rs. 40 lakh and meeting the administrative charges, was to be expended partly on the private expenses of the Raja and partly on the improvement of the country, on June 13, 1784, while submitting the plan for the sanction of the council, Warren Hastings wrote to Mr. Wheeler, President of Council, "I do not propose this as a permanent arrangement. I will be answerable for its effect as a temporary expedient. If the Raja himself was capable of managing, we could not,



with any show of justice, transfer it to any other from him".<sup>1</sup> I may point out here that this arrangement was the beginning of that dual authority which ultimately resulted in the complete annihilation of the rights of Raja Mahip Narayan Singh and his successors in the four sarkara. Although this arrangement was distinctly stated to be a temporary expedient, but the next step went further to usurp them. It was the thin end of the wedge.

The supreme authority thus exercised by the Resident was, however, without any legal justification and as such he was not entitled to initiate or carry out any measure of reform without the sanction of the Raja who was the 'de jure' ruler of the province. Empty promises, persuasion and threats were used to induce the Raja to give his consent. Ultimately the Raja acquiesced and an agreement was signed on October 27, 1794, by which the fate of the ruling house of Banaras was sealed. In consequence of this agreement the British Government began actually to administer the country in the name of the Raja through the Resident assisted by three British Officers stationed at three capital towns of Ghazipur, Jaunpur and Mirzapur. The Raja had the nominal charge of the country. This agreement consolidated all those existing arrangements and gave the Company the required legal sanction which was wanting. Although this arrangement was essentially of a temporary but undoubtedly of a salutary nature.

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1. Forrest, op.cit., vol. III, p.1101.

Unfortunately Raja Udit Narayan Singh, who succeeded his father, was only 13 years of age and so the old arrangement was prolonged. When Raja Udit Narayan Singh attained majority in 1805, he ought to have been invested with the powers exercised by his grand father, Raja Balwant Singh, and recognised in the sanad granted to his father and in his own sanad, but he was kept in a state of dependence. Although he continued to press his demand with increasing vehemence and vigour, but except the expression of sympathy nothing was done to redress his grievances. He died in 1835, a broken hearted and bitterly disappointed man, with his hopes shattered. It appears that the British Government, which had always preferred the most scrupulous regard for its solemn pledges, refused to recognize the claims of Raja Udit Narayan Singh from sordid motives of greed or self interest when other reasons suggest themselves as an explanation.

The temporary arrangement of 1794 had taken the shape of permanency. The actual power and authority of the British Government in four sarkars had progressively increased; interests had become vested and it became extremely difficult to cry a halt.

After the agreement of October 27, 1794, the main subjects, which engaged the attention of Lord Cornwallis, were the promulgation of the Regulations respecting the land Settlement, the judicial and the police establishments of the province. Out of these the first was most important

to which he had devoted much of his time and labour. The administration was carried on in the name of the Raja by the naib who used to settle the parganas to the highest bidder. Often a mere adventurer was entrusted with the <sup>work</sup> ~~money~~ collection. The excitement of competition had produced offers unreasonably high and the capacity of the land had been overrated; but practically amils could seldom fulfil their contracts and great loss of revenue ensued. The cultivation gradually decreased and many big parganas were laid waste. It was at this time that Duncan took over the charge of the Residency. He was directed to associate with the Raja in the administration of the province and prepare and execute such plan which could constitute the Raja really and nominally the principal head in all matters of internal administration and to induce him to attend to the business of the State. To carry out the wishes of the Government, Duncan left the Settlement and collection of revenues in the Raja's hands and abolished the office of the naib. For the stability of receipts of the Government revenues and betterment of the ryot he laid a scheme before the Raja which after some hesitation the Raja accepted.<sup>1</sup> Under this scheme the Raja was to grant the uniform type of pattas to the ryot, specifying the denomination and length of the rod by which the batai (sharing) lands were to be measured in case such a measure was demanded by either party on the arrival of the period when the produce of the

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1. B.R.C., June 25, 1788, pp.147-157.

crops of the ryot was estimated by a method called kankoot (estimation). Since disputes often arose between the tahsildars and ryot as to the value in money at which the crop was to be reckoned after its estimated amount was ascertained by means of measurement, it was suggested by Duncan that the valuation of the crops would be settled twice a year for <sup>ch</sup> each crop in every pargana according to the actual market prices then current in several parts of the province. This mode of estimating the produce of land by measurement and fixing the value of crops by current prices constituted a permanent principle to ascertain the collections to be made for hatei lands. For lands paying specified money rent per bigha, too, the name and specifications of the measuring rod were likewise directed to be mentioned in the pattas granted to the ryot. Duncan further suggested that lower rents should be fixed for the waste land and certain amount of waste land should be included in the lease of all tenants to encourage the cultivation of the waste land. Duncan himself supervised the settlement. He had intended to have all cultivated land measured but on a further consideration he found that the scheme of general measurement previous to the Settlement would be impracticable on account of length of time it would take and the idea of general measurement itself was a revolution in the existing revenue administration. In consequence, his assessment had to be based on the estimate of the qanungos. Before making the assessment of each pargana, Duncan had before him the jama and abwabs or cesses for

1187 fasli (1779-1780) and the same accounts for 1195 fasli (1787-1788). Thus the revenues of two extreme years were compared with the estimates of the qanungos for 1788-1789. Out of these, deductions were made on account of payment of 10% to the mills for the collection of revenues, qanungo's<sup>1</sup> allowances and other dues. Under this settlement Duncan had to face serious difficulties on account of the availability of a fewer number of zamindars with whom settlement should have been made. Therefore, he tried to restore most of them who were dispossessed by Balwant Singh prior to 1775, so that their rights in land might not be unjustly jeopardised. Even then he could not get sufficient number of zamindars and settlement had to be made with other classes of people. In consequence, nearly 2/3rd of the land was settled with the village zamindars, 1/4th was left with the farmers and 1/12th remained amni, where collections continued to be made direct from the ryot because of the absence of the zamindars.<sup>2</sup> This settlement of one year did not prove successful as it still left a large deficit even in the Company's dues, without leaving a margin for administrative expenses, or for the Raja's profit. A five years settlement was next tried more advantageously which was soon after made for ten years. The latter settlement proved

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1. B.R.C., April 26, 1789, pp. 181-183.

2. Ibid., Nov. 25, 1790, pp. 157-158.



very successful as it fully secured the Company's revenues and at the same time left sufficient margin for "an easy and honourable provision for the proprietor", after meeting the necessary administrative charges. The revenue assessed at the decennial settlement appeared to Duncan maximum which was within the capacity of the people <sup>to</sup> pay and any attempt to enhance it was likely to prove injurious to their interest. This settlement of ten years was subsequently declared perpetual under regulation II of 1795.

A court of justice having revenue jurisdiction was also established to hear and decide the disputes of revenue nature. Its proceedings and decisions were under the control of the Resident.

The effect of this settlement had been a wide extension of cultivation. Though the settlement was not at that time of a mild type, yet the saving principle of the permanent certainty of the assessment made the settlement successful. The increased demand of land caused increase of cultivation and in effect, the great rise in the rent of land had taken place. The estates became most valuable property. The major part of the land, which was lying waste due to mismanagement at the time of settlement, had been brought into cultivation. Thus the lost cultivation had been recovered. This settlement also protected the landholders from the oppressions and exactions of the Raja and his officials, limited the demand of the state for land revenues and conferred upon them right to increase

and extend their cultivation without liabilities to pay an enhanced revenue. The permanency of settlement of the province of Banaras had not been a bad bargain to the Company. In addition to giving the Government a fair revenue, it had increased very much the wealth of the province. Duncan was quite conscious of the utility of the services of the amungos because they served as a link between the ryot and the Government. Therefore, he retained their office. Duncan's settlement was completed in about a year. It is not surprising that it was defective in many respects. It did not supply the primary essential to a successful settlement; namely the making of records of proprietors and tenants' right. It did not even record the boundaries of mahals. Many of the mahals were held by a large coparcenary body. Settlements should have been made individually with each body. As a matter of fact settlements were made only with a few representatives. The result was that many co-shares became deprived of their rights. This led to the enormous mass of litigation, and auction sale of estates for non-payment of revenues were much more frequent than anticipated. Notwithstanding the above defects, and in spite of the unfavourable influences to which it was subjected, yet, taken as a whole, there can be no doubt that this settlement was an excellent one, and was conducive to the happiness of the province.

In the sphere of civil administration, a perusal of records enables us to form an estimate of the general policy

of the company towards the 'Banaras Raj' and the people, and of the means which the Company adopted to improve the tone of administration particularly of the judiciary, police and jails. There were no regular courts of justice. The Raja used to farm them out to the amils who were mainly guided by "unwritten customs". The province of Banaras had long been deficient in the administration. Warren Hastings, therefore, established three distinct departments of police, criminal and civil courts under a chief magistrate, subject to his own personal control. The jurisdiction of these courts was confined to the city of Banaras only. Nothing was done for the administration of justice in the rural areas, and in the towns of Ghazipur, Jaunpur and Mirzapur. Duncan, therefore, established three courts of justice in the towns of Jaunpur, Ghazipur and Mirzapur on the model of Company's court in the town of Banaras. The decisions of these courts were appealable to him.

The Raja's Mulky Adalat was the only court in all matters of justice for rural areas with the limited authority of hearing and trying such causes which were referred to it by the Resident, but its power and influence were so circumscribed as to be productive of little benefit. Hence Duncan formed it into two distinct courts: Mulky Dewani Adalat and Mulky Faujdari Adalat. He regulated the procedure of these courts in such way that they became more efficient in protecting the life and property of the people.

Under Regulation VII of 1795 the jurisdiction of the ~~two~~<sup>Town</sup> courts was extended to the entire district. Mulky dewani and Mulky Fauidari Adalat ceased to function. For rendering relief to the parties residing at distant places from the seat of justice and for speedy disposal of the causes, native commissioners were appointed to hear and decide the suits of personal property not exceeding Rs. 50/- and from their decision appeal lay to the zilla judge, who alone had authority to enforce their decrees.

Above the zilla judge and magistrate was the provincial Court of Appeal and Circuit. On the civil side this court was a court of appeal from the decisions of the zilla judge. On its criminal side it was a court of circuit, which held annually two jail deliveries in each zilla within its jurisdiction. From all decrees of the Court of Appeal, in cases where the value of things decreed one thousand rupees, an appeal was originally allowed to the Sadar Dewani Adalat, but the appeals preferred found to occupy too much of the courts time, the limitation of appeal in 1797 was extended to suits for money or personal property not exceeding the amount or value five thousand rupees. An ultimate appeal lay to the King in council but the limit of the amount was not settled. In 1797 it was fixed at rupees fifty thousand only. But the greatest alteration in the administration of criminal justice was effected by discarding and abrogating several Islamic Laws hitherto acted upon, because they were found inadequate to deal with

murder, robberies, etc. <sup>The</sup> Establishment of these courts proved not only highly beneficial to the inhabitants but also created good impression in favour of the Government in the minds of the people, by convincing them that their welfare was the main object of the Company.

Pleaders were also appointed in each civil court with a view to having a kind of check upon the judges, as the knowledge of law could enable them to point out any deviation from the regulations in the judgment of the courts. An important step in the direction of maintaining and preserving archives was also taken in 1795. Consequently, record rooms were established for preserving the records of the courts judicature and to facilitate means of reference to them. The copies of the documents were issued to the party on stamp papers.

The state of the police and jails was closely connected with the administration of justice. As the province of Banaras consisted largely of small village zamindars, the exercise of their local responsibility for peace was made subordinate to the tahsildars through whom they paid their revenues to the Government. The major land holders, who paid directly into the collector's treasury, were subordinate in their police capacity immediately to the magistrate himself. The tahsildars appointed their own police officers. A list of such officers had to be submitted to the magistrate for information. Under Regulation XVII of 1795 the police administration of the city of



Banaras and district towns of Jaunpur, Ghazipur and Mirzapur were vested respectively in the city and zilla magistrates. The city and each of the town was divided into wards and placed under darogas who were responsible to their respective mutwals. In the city of Banaras the official establishment of police was assisted by such chowkidars as the respectable inhabitants of that place maintained them in their pay. As the extensive powers vested in the tahsildars were often employed for the purpose of extortion and abuse of authority and they found little time to attend to the supervision of police, the tahsildars and zamindars were divested of their police jurisdiction in 1807.

It was necessary to build jails to accommodate the prisoners who were sentenced to imprisonment. The jails were constructed at the head quarters of the districts of Banaras, Ghazipur and Mirzapur respectively in 1794. In these jails women were kept apart from men. Attention was paid to the sanitary condition of jails and health of the prisoners.

Prisoners were employed for repairing roads and other public works. This species of labour was considered as a real punishment which imprisonment alone did not appear to be sufficient. It operated more powerful as an example and its effect on the mind of the people was beneficial in diverting their mind, from committing crimes. To render some relief to the prisoners from week day's hard

labour, Sunday was declared as a holiday for them. Their diet and clothing allowances were also fixed.

The reformatory school was established at Chunar in 1811 with a view to reforming the children engaged in vagrant course of life. It was the intention of the Government to train them in the way best suited to them for their practical life.

The administration of justice, police and jails fully organized and in good working order appear to have been on the whole satisfactory. There was a considerable degree of security of life and property throughout the province.

The unstinted loyalty of the people were perhaps no where <sup>so</sup> prominently visible as in the field of justice about which the records contain valuable details. No doubt, the perfect security which the average man felt within the limits of this Company's possessions as contrasted with the perpetual insecurity which prevailed in the territories of the contemporary Indian Governments, was by itself a great factor which was responsible for the marked zeal with which the people flocked to the fortified area of Banaras. But what was more important than this sense of security was the sense of fairness and justice which the English showed in their dealings, not only with one another but also with the Indian people. The manner in which the judge-magistrate of Banaras sent summary of the news to the Governor General in Council suggests the modern

idea of press information and its allied subjects had its origin in the 18th century.

Warren Hastings visited Banaras in 1781 and found that there was no specific and uniform standard for ascertaining the price of goods. The customs on the imports, exports and transit were in general collected on the weight of the goods. In some cases merchants were obliged to swear to the price of the goods and in other the duty was collected on the current price of the goods. In order to save the merchants from arbitrary and exorbitant taxations it was ordered by Warren Hastings on November 2, 1781, that customs house should be established at Ghazipur, Banaras and Mirzapur only for collection of 5% 'ad valorem' duty on all goods according to the valuation prescribed in the Book of Rates. These orders had little effect and in some respect vexation increased. To render relief to the merchants the <sup>duty</sup> ~~city~~ on various articles of spicery, raw silk and metals was reduced to 2½% by an order of the 8th of April, 1782, and this concession was also extended to silk and silk-piece goods in 1784. It was also ordered that no part of the collections in the department of customs should be farmed out and duty on empty boats was prohibited. But these rules were scarcely adhered to and were equally ineffectual. The trade became burdened with numerous unauthorized and impolite exactions. The Irani and sanyasi merchants gave up their trade by way

of Banaras. Hence in consideration of these circumstances and with a view to affording greater security to the merchants trading between Banaras and the Company's dominion, the Government reduced the duties to 2½% on all imports from Bihar and Bengal. The Banaras rawannah was declared valid in the Company's dominion and vice versa, for the price of goods exported from each country. The value of goods produced in and exported from the province of Banaras was ascertained by the invoices of the exporters. The zamindari and inland duties and all other collections on merchandise, excepting those authorized by the Government, were abolished. A commercial court of justice was established for taking cognizance of infringement of all regulations regarding the customs.

The salutary effect of remission of 2½% on raw silk and freedom to use their own boats caused so rapid increase of the trade of the sanyasi merchants that in the year 1786-1787, the total of their exports and imports amounted to Rs. 16,14,795-9-6, of which Rs. 7,58,182-4-6 was the valuation of raw silk.

To give protection to the Deccan merchants from way side robberies and thefts, zamindari chowkies were established along the road frequented by the Deccan and other merchants to the mart of Mirzapur and sheds were constructed for the merchants where they could store their goods well protected from the rains and sun. To promote the

commercial relations between the neighbouring state of Awadh and Nepal commercial treaties were concluded. In this way not only commerce between these countries increased in volume but the intimacy of three Governments became firmer and their respective interests more united.

As a result of encouraging commercial policy of the Government, the industries of Banaras flourished and imports and exports increased. A separate agency was established for Banaras opium instead of the system of contract. Although under the contract system the income of Company increased but the ryot were oppressed and exploited. Duncan was quite conscious of such monopolistic rights. Therefore, he replaced it by the agency system for the procurement of opium. European Indigo planters were prohibited from taking up new leases and declared that the existing one should end with the decennial settlement <sup>e</sup> then in force. But since this settlement was declared perpetual, the European planters continued to hold their lands. The indigo industry was not conducive to the economic interest of the common people although Duncan made serious efforts for it. It was, however, a source of economic gain <sup>to</sup> in England.

The Company's cloth investment proved most advantageous to the cloth industry as well as the British Government. To develop the cloth and silk industry and give direct encouragement to the weavers of Banaras the amount



of the advance was raised from rupees three lakh to six lakh and the samples of different cloths, with their rates at which they would be sold at Calcutta, were displayed at the customs houses of Banaras, Ghazipur, Jaunpur and Mirzapur for the inspection of the merchants.

Duncan was a lover of learning, a man of culture and not a mere official. He took much pains in promoting the educational and cultural activities of the province. On March 19, 1789, he directed Captain Wilford, then a surveyor at Banaras, to communicate his observations on Zoology, natural history, wells, highways and roads, natural and artificial curiosities, ruins, and other connected things.<sup>1</sup> His love of learning proposed the establishment of a Sanskrit college at Banaras although political considerations lay behind it. It was an attempt to conciliate the Hindu population of the newly acquired territory of the Company and to train British as well as Indians in Hindu Law. Under the Regulation of the college the Brahman teachers were given preference <sup>in</sup> to promotion and appointments. It showed Duncan's partiality towards the Brahmanas. It was <sup>all</sup> well due to the fact that the Brahmanas dominated in the society there as well as in the college. The discovery of Sarnath was one of the most important archaeological features of the period for which Indian archaeology is indebted to Duncan.

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1. B.R.C., March 19, 1789, pp. 189-194.

The various branches of natural history were encouraged. A qualified officer, Dr. Francis Buchanan, was appointed to collect the material for compiling a true account of all the important quadrupeds and birds in the province of Banaras. Oriental scholars were also patronised. Charles Wilkins was the first English man who acquired the knowledge of Sanskrit and translated for the first time the Bhagwat Gita into English in 1785. Cherry was a Persian Scholar of repute. Wilford was deputed by Sir John Shore to acquire knowledge of Hindu religion and ancient Indian History and Khair-ud-Din was requested to write Balwantnash.

There was scarcely any branch of administration which Duncan did not take up. He skilfully suppressed the depredations committed by the buddiks of Awadh and gusadhs of eastern Ghazipur. He was sympathetic towards the Hindus, especially the Brahmanas. He was unwilling to outrage the popular feelings by the execution of the Brahmanas while they were in jail. If they incurred penalty of death, they were banished to an island called Pulau Penang (Prince of Wales). He first noticed the system of female infanticide and he was first to attempt at its repression. He also dealt sternly with the Brahmanas who were in the habit of establishing 'kurh', for wounding or killing their female relatives or children. The sitting of dharna was declared illegal by him in 1792.

To prevent famine he prohibited the export of grain, suspended import duty and limited the amount of grain to be sold in one day to any person. As the prices of grain did not fall due to manipulation of the dealers, the Government authorized Duncan to purchase 1,65,009 maunds of grain to meet the emergency and to erect granaries at Chunar, Banaras and other places. The procedures for the issue of grain were also regulated by Duncan. Thus the modern food control is traceable to the measures which Duncan took in 1788 in order to meet the rise in price of grain. In 1791 Duncan advanced taccavi to the extent of Rs. 35,990/- for the construction of wells for irrigation purposes. To improve the means of communication for developing trade, Duncan got the roads and bridges repaired which were then in worst possible condition. The zamindars and mills were directed to keep the highways and roads within their respective limits in a due state of repair. Some praiseworthy attempts were made to ameliorate the condition of the aged and infirm persons by granting them charitable pensions and allotting waste land to the invalid soldiers. Due to his long residence in Banaras city Duncan was quite aware of its insanitary condition. He took much pains to improve it. His measures caused great indignation and led a hartal on the ground that these measures were novelty. Ultimately Duncan got the people to listen to reason. To render medical aid to the poor and needy he also

built a hospital ~~t~~ in Banaras in 1787 which was the nucleus of the present Sheo Prasad Gupta Hospital.

In brief it can be safely said that the East India Company brought peace and prosperity in the province of Banaras by introducing new revenue, judicial, police and jail systems; by encouraging commerce and reforming tariff administration; by establishing schools and colleges for the Indians; and by introducing special reforms for the well being of the people.

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## G\_L\_O\_S\_S\_A\_R\_Y

- Abwab or aboab : A particular item in revenue accounts, heads or subjects of taxation, or the taxes which were imposed under the Muslim rules in addition to the regular assessment on the land.
- Adalat : Court of Justice.
- Agahan : The eighth month of the lunar-solar year corresponding to November-December.
- Agori Batai : Lit. a watching and sharing division of the crop immediately after reaping between the cultivator and the Government, the latter taking half of the produce in kind.
- Amalnama : A document giving authority to manage property or to take possession.
- Amanat Daftar : An office under the Muslim rule for deposits or for a register of Trusts. The superintendent was sometime invested with the judicial powers in civil suits.
- Amani : It applied specially to the collection of revenue direct from the cultivation by the officers of the Government upon the removal or suspension of an intermediate claimant or zamindar, the same as the khas collection.

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- Amin** : Revenue Officer employed by the Government to examine and regulate the revenues of a district surveyor.
- Amilinama** : A written order or warrant to an amil, a commission to take possession of land in the name of the Government.
- Ayna** : Ayna or Aima lands granted rent free or "subject to a small quit rent" to religious or learned persons or for religious and charitable purposes.
- Arath** : Brokerage, Commission.
- Assal Jama** : The original rent or revenue charged upon the lands of an estate, or village or district without any abwab or extra cesses.
- Bandobast** : Settlement or arrangement.
- Barqandaz** : Matchlockman. But commonly applied to an Indian armed with sword and a shield, who acts as a door keeper, guard, watchman or escort.
- Batal or Betay** Land paying the revenue in kind; crop-sharing.
- Batta** : Difference or rate of exchange, discount on coins not current, or of short weight. Also the rate of exchange between rupees of different species. Amount added or deducted from any payment according to the currency in which it is made as compared with a fixed

standard coin. Also an extra allowance paid to officers, soldiers or other public officers when in the field or on other special ground.

- Beāya : Weighman's dues.
- Bigha : A measure of land varying in size. In N.W.P. it was about  $\frac{1}{4}$  of an acre.
- Bijak : Invoice.
- Biswa :  $\frac{1}{20}$ th part of a Bigha.
- Bhurfay : Payment made to the bankers on account of advances made by them.
- Chabutra : A Platform; customs house, etc.
- Chapparband : A cultivator who has his house in the village (Khudkasht).
- Chaudhri : The headman of a trade or village or profession in a town.
- Chhoot or Choot: Remission of revenue.
- Chobdar : An attendant carrying mace; a person employed for beating drum to convey official announcements to the public, personal attendant of the court or office of high dignity.
- Chhoot or Chhut Muafi : Remission or deductions in the Settlement.
- Chowki : A customs or toll station, a station of police, a place where an officer was posted to receive tolls and customs.

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DEhayak

~~Dahyak~~

: An allowance of ten per cent which used to be assigned to the farmer or collector of the revenues as his profit and for charges of management, and to the amils or zamindars for police charges.

Dakhilla

: A receipt for money or goods, payment of revenue or rent.

Dastak

: Generally it implies a summon or a writ or a Warrant. It is specially used for a demand served on a revenue defaulter to compell him to pay any balance that may be due from him. In the early days of the British Government, a document authorizing the free transit of certain goods and their exemption from customs dues. It applies more generally to summon used by a competent court asking a person or persons to appear as a witness or defendant.

Dastur-ul-  
Amal

: General Regulation: Rules of procedure.

Dharma Dandi :

Fair weighment.<sup>+</sup>

Dishti-  
bhandhak

: A kind of mortgage where the property is not transferred to the possession of the mortgagee but is only rendered responsible for debt.

Doal

: An estimate of the amount of revenue which a district or estate may be expected to yield.

An allowance of ten per cent which used to be assigned to the farmer or collector of the revenues as his profit and for charges of management, and to the Amils or zamindars for police charges.

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General Regulation: Rules of procedure.

Fair weight<sup>+</sup><sub>^</sub>.

- Farigh-khatti** : A written receipt and acquittance; a deed of release from all further demands or claims.
- Fasli** : Fasl means season, a crop or harvest; Fasli signifies the era established with reference to the harvests; the two harvests being the **Sharif** and the **Rabi**.
- Faujdari** : Criminal as distinguished from the civil.
- Faujdar** : Police officer like a magistrate.
- Gumashta** : An agent, steward, a confidential factor, a representative; an officer appointed by zamindars to collect their rents, by bankers to receive money, etc., by merchants to carry on their affairs in other places than where they reside and the like. "Also a clerk for vernacular correspondence.
- Iqrarnamah** : A deed of assent or acknowledgement in general. It applies especially to the engagement entered into with the government by the **malguzar** and co-parcenars of a village.
- Istimrari** : Permanent tenure.
- Jagir** : The perquisites of a jagirdar.
- Jama** : Total amount of rent or revenue payable by a cultivator or a zamindar; literally it is applied to the revenue assessed on the estate or holding.

- Jama Kharch : Receipt and disbursements.
- Janeshin : Police officer like sub-inspector,  
literally locum tenens.
- Kankoot : Estimated valuation of standing crops by  
measurement of the land and estimation of  
the <sup>Co<sup>m</sup></sup> ~~com~~. The object of such estimate was  
to assess the land at a money rate accor-  
ding to the computed amount of the sale  
price of the grain.
- Khalisa : Lands of which the revenue remains the  
property of the Government, not being  
made over in jagir or ~~inam~~ to any other  
parties. "Lands or villages held immedi-  
ately by the Government and of which the  
state is the manager or holder".
- Khana Shumari : A written statement of the number of houses  
in a village or town and hence a census  
of the population is so termed.
- Khareji Jama : Separated or detached from the rental of  
the state, as lands exempted from rent  
or of which revenue had been assigned to  
individuals or institutions.
- Kharif : It is derived from the Arabic word Kharf  
meaning "The falling of autumnal rain"  
and is used for autumnal harvest.

- Khas : Under direct management of the Government.
- Khilat : A dress of honour.
- Khudkasht : Sowing or cultivating one's own ground.
- Kurh : A circular enclosure in which a pile of wood was constructed and an old woman was placed in the area to be burnt alive by the Brahmanas in the event of any Government officer attempting <sup>under</sup> to put them <sup>^</sup> arrest for the recovery of arrears of revenues. It was supposed that consequences of the crime would devolve upon those whose oppression had driven the Brahmanas to perpetrate it. This practice was prohibited by the Government.
- Koyrar : Opium, vegetable and sugarcane cultivation.
- Kuchcha : In revenue settlement it implies a direct assessment, one made with the ryot either where there is no recognized farmer or proprietor, or where his right of collection is suspended.
- Lakhiraj : Rent free land, applied to land exempted for some particular reason from paying any part of the produce to the State.
- Lumbardar : The cultivator who, either on his account or as the representative of other members of the village pays the Government dues and is registered in the collector's roll according to his number.



- Latta or Lattah : A measuring rod or pole. A bigha is a square of 20 Lattas. In the survey the measuring chain was divided into ten lattas and each latta into ten links.
- Muafi : Land granted free of assessment of revenue. Such lands were granted by the state on condition of service and were held free of revenue. Such grants were also made by the zamindars, and these grants were hereditary and transferrable.
- Mahal or Mal : The revenue claimed by the Government from the produce of cultivated land, "the wealth of the state".
- Mofussil or Mufassal : The country or the stations in the country as opposed to the sadar or principal station or town.
- Muafi Manuli : Established or customary remissions. In Banaras customary deductions from the Government revenue made for *merly* to the Indian Collectors of revenue and farmers on account of similar remissions made by them to their subordinates or to the cultivators, or of charitable allowances.
- Muafi Mujrai : Deductions from the revenue on account of allowances to cultivators or contractors, as an encouragement, or of assignment of

remissions or grants of revenue for charitable purposes.

- Munsif** : An officer generally employed to superintend measurement of lands and assignment of revenue in concert with the villagers and the lower officials. Appointment of Munsifs first occurs in connection with the officers appointed to a pargana during the period of Sher Shah.
- Mucaddam** : He was the village head man. His functions were similar to those of a Chaudhri. He put his signatures <sup>on</sup> ~~to~~ certain papers prepared by revenue officers, stood surety for individual cultivators and assigned the Government servants in collection of revenue. For his services he was entitled to a perquisite in accordance with the established customs.
- Mushakhasi** : Applied to lands or districts for which a settlement has been made. It also applied to subordinate tenures for which the holder engaged to pay at fixed rent annually upon the whole lot.
- Mutassaddis** : Officers appointed to assist in the collection of revenue and the maintenance of law and order. The officer incharge of port

office was considered of great responsibility appointment being made generally by the Emperor.

- Muhtasib : A clerk of the market who was appointed to inspect the weights and scales.
- Nankar : Originally meant a deduction from the revenue of a village or an estate allowed by the Government for managing it. The right to nankar has been considered as under - proprietary right of a heritable and transferable nature but a person in receipt of such allowance can not necessarily be considered to be the under proprietor of a land of which he may be in possession.
- Nazarana : Gifts or presents made by cultivators to land lord and others.
- Pahikosht or Paykasht : Cultivation by non-resident cultivators or tenants as well.
- Pargana : A tract of country comprising many villages but of which several go to constitute a zilla. The actual extent varies but the distinction is permanent.
- Parwana : An order, written precept or command.
- Parban : A <sup>watchman</sup> ~~sentinel~~ & sentinel.
- Patta : A deed of lease specifying the condition on which the lands are held and the value or

the proportion of the produce to be paid to the person or authority from whom the lands are held.

- Peshkash** : A present or offering to the ruling power on assignment of revenue or on a renewal of grant or the like.
- Parjwat** : Ground rent.
- Pattidar** : A coparcenar, the holder of a proprietary share of village lands.
- Pyke** : A footman: an armed attendant.
- Qanungo** : The qanungo was an important officer in the local land revenue administration. His jurisdiction changed from reign to reign. In Akbar's reign he seems to have been a pargana officer. By the time of Shah Jahan his jurisdiction extended over a circle of parganas. In Aurangzeb's reign a pargana had many qanungos and the maximum number of qanungos within a pargana was fixed at ten. He was consulted in order to ascertain revenue customs, usage and perquisites of the area under his jurisdiction. He kept the same revenue papers as the patwari of the village. He, together with the Chaudhri and the Muqaddam signed a Qubullat to the effect that they accepted the assessment made

of the same by the ryot. He was entitled to certain perquisites, provided the full rental had been received. Formerly the Kanung was paid by means of a commission of one percent. Under Akbar he was paid cash salary from public treasury.

- Qist : Instalment of payment.
- Qubuliat : A written agreement, especially one signifying assent, as the counterpart of a revenue lease, or the document in which a payer of revenue, whether to the Government, zamindar or the farmer, expresses his consent to pay the amount assessed upon his land.
- Qubuliatdar : The party who binds himself by an agreement.
- Rabi : Literally means spring and refers to the spring crop and the dry harvest.
- Rahdari : Transit duties, tolls and duties collected at inland stations upon grains and other articles levied formerly by the Government or zamindars.
- Rusoon : Customary payment and gratuities.
- Rusoon-I-Khazana : Fees charged at the public treasury on all receipts and disbursements.
- Ryot : Cultivators, tenants.



- Sanad** : An acknowledgement and documentative proof of rights conferred upon by the Government.
- Sarbarahkar** : A manager, a steward. The manager of an estate for minors, females.
- Sershtadar** : The officer who lays petition before judicial offices and writes orders passed on them.
- Sarkar** : The term signified an extensive division of the country under the Muslim rule, a sub-division of a subah containing many parganas, a district of a province.
- Sayer** : In its original purport the word signifies movings, walking or the whole, or the remainder; from the latter it came to denote the remaining or all other sources of revenue accruing to the Government, in addition to the land tax, from the variety of imposts, as customs, transit duties, licences, fees, house tax, market tax etc. in which sense the term was current throughout India.
- Sazawal** : An officer specially appointed to take charge of and collect the revenue of

an estate from the management of which the owner or farmer has been removed.

- Seer : A name applied to the land in a village which were cultivated by the hereditary proprietors or village zamindars themselves as their own special stress *shares* either by their own labourers or by tenants at will, not being let on lease or farm.
- Shroff : A money lender, a banker.
- Taccavi : An advance made by the Government to the cultivators at the time of sowing for the purchase of seed, cattles, etc.
- Talab Chitthi : A warrant, a summon.
- Tahsil : Collection, especially of the public revenue derived from land excluding the cesses.
- Talabana : Daily pay or fees to a subordinate officer of the court charged with serving process, issuing summons or writs, payable by the parties on whom they are served.
- Tankwah : Draft for money, bill of exchange, an assignment upon the revenue of a locality in payment of pay, pension.

- Taluqa** : Taluqa means a district or division of a province or an estate. Taluqa was generally granted by the Government at a favourable assessment as a mark of favour or on condition of clearing and cultivating waste land. In the North Western Province it has been defined as an estate, the holder becoming the intermediate agent for collecting the revenue from the people and paying it to the Government after making such deductions as he may be entitled to according to the terms of the grants or local customs.
- Tahud** : Promise, agreement, a revenue lease, and agreement with the Government or its representative for the payment of the public revenues which may be made separately, even by the coparceners in a joint estate, each becoming responsible for his own proportion.
- Tappa** : A small tract or division of country, smaller than the pargana, but comprising one or more villages.
- Taziyanah** : A whip, an instrument formerly used in the Company's courts for punishment of delinquents.

|            |   |   |
|------------|---|---|
| Tushkhees  | : | Corrected assessment, not standard revenue. |
| Wasil Baqi | : | Collections and balances.                   |
| Zabitanah  | : | Fees paid to the measures and assessors.    |
| Zamindari  | : | The perquisites of a Zamindar.              |

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## B\_I\_B\_L\_I\_O\_G\_R\_A\_P\_H\_Y

### A - Contemporary

#### Original English Records (Unpublished)

(a) BANARAS RESIDENCY CORRESPONDENCE  
(Records of the Banaras Division)

1. Political letters issued by the Agent to the Governor General (1795-1810).
2. Miscellaneous Letters received by the Agent to the Governor General (1795-1810).
3. Original Correspondence of the Resident (1776-1795).

(b) BANARAS CORRESPONDENCE (Banaras Collectorate Records)

1. Revenue Correspondence: Letters issued from 1799-1810.
2. Letters received from 1799 to 1810.

JUDICIAL CORRESPONDENCE

1. Letters received from 1796 to 1810.
2. Letters issued and received from 1800-1810.

(c) MIRZAPUR CORRESPONDENCE (Mirzapur Collectorate Records)

1. Letters issued from the Government to the Magistrate 1795-1810.
2. Letters issued from the Nizamat Adalat and Court of Circuit to the Magistrate, 1795-1811.
3. Letters issued by the Magistrate, 1803-1810.
4. Copies of letters relating to Mirzapur District sent to the Collector of Banaras, 1795-1810.
5. Circular orders issued by the Nizamat Adalat, 1795-1827.

(d) GHAZIPUR CORRESPONDENCE (Ghazipur Collectorate Records)

1. Correspondence with Collector of Banaras relating to Ghazipur District, 1802-1820.



(e) BOARD OF REVENUE

1. Proceedings of the Board of Revenue at Fortwilliam 1803-1807.

- (f) Correspondence regarding Family Domains of the Raja of Banaras (1828-1846).

II. NATIONAL ARCHIVES OF INDIA, NEW DELHI

- (g) Bengal Secret Consultations 1764-1775.  
(h) Bengal Select Committee's Proceedings, 1765-1775.  
(i) Bengal Political Consultations (1765-1775).  
(j) Home Public Consultations (1796-1801).  
(k) Separate Revenue letters from and to the Court (1796-1799).  
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##### 2. Hadikat-ul-Aqalim (SAUP-Ms.)

by Murtaza Husain Bilgrami. The author was a munshi (Secretary) to Captain Jonathan Scott, the Persian Secretary to Warren Hastings and composed the work at his request between 1780-1781 A.D. It gives valuable account of Saadat Khan, Safdarjang, Chait Singh, etc.

##### 3. Massir-ul-Umara (vol. I-III) (Per. text. published by A.S.B)

of Shah Nawaz Khan, Sam-Sam-ud-Daulah. It was begun in 1768 A.D. and completed in 1780 A.D. It is a biographical dictionary of the Mughal peerage and is very useful for historical research.



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6. Yadgar-i-Bahaduri (SAUP MS., Unpublished) of Bahadur Singh Bhatnagar, completed in 1842. The work is rare. It is a memoir-cum-Gazetteer. It deals with the historical narratives and gives the topographical accounts of the country, its industries, commerce, religion, the life of Persian and Hindi poets, etc.
7. Tuhafa-i-Tazah alias Balwantnamah (A.S.B. MSS). of Khair-ud-Din Muhammad composed in 1780 A.D. This work gives an authentic account of the ruling houses of Banaras from Mansa Ram to 1195 A.D. (1780 A.D.). It gives valuable account of the relations between Saadat Khan, Safdar Jang, Shuja-ud-Daulah and Warren Hastings on one hand and Mansa Ram, Balwant Singh and Chait Singh on the other hand. It was translated by Frederic Curven in 1875.
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URDU MANUSCRIPTS (Unpublished)

1. Tawarikh-i-Ishwari (Allahabad Museum Ms.)

by Sayyid Amir Ali. It deals with the political history of the ruling family of Banaras from Mansa Ram to Ishwari Narayan Singh. It was written in 1850 A.D.

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## APPENDIX - A

### COINAGE SYSTEM IN BANARAS

In the Calcutta Mint Committee's proceedings of 1792 the following historical sketch of the Banaras mint given by G.H. Barlow, who was deputed in 1787 by Lord Cornwallis to enquire into the trade and coinage of Banaras, is available.

#### SILVER COINS

A mint was established at Banaras in the 15th year of the reign of Muhammad Shah (1734). In the first year the assay was kept ~~in~~ upto 22 chawals, but in the 2nd and 3rd years the Raja farmed the mint to one Nand Ram, who debased the coin to 24 and 32 chawals in order to increase his receipts. The mint records were burnt by Balwant Singh, and no records were preserved in the mint until 1776. The farmers carried away their receipt books in order to conceal the profits they reaped from debasing the coins. The system of farming out the mint was first adopted by Ratan Chand, dewan of Farrukhsiyar, who also introduced the custom of changing the value of the rupee every year.<sup>1</sup> In 1769 the new coined sicca rupees, after

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1. Calcutta Mint Committee's Proceedings of 1792. E. Thurston, History of the East India Company's Coinage, Journal of Asiatic Society of Bengal, vol. LXII, part I, 1893, p.55.

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being in circulation for ten months, fell by 3 per cent, and at the expiration of two years, it fell by 2 per cent more at which value it continued under the denomination 'sanwat'. On the 6th of August, 1771, this practice was abolished by the British Government, who decided that the siccas coined in 1769 should be considered as sanwats and those carried in 1770 and subsequent years should pass in payment at the same value as the sicca of the current year. During the reign of Ahmad Shah the mint was under the charge of Agha Asad Beg, qiladar of the fort of Chunar, from 1750-1754. The assay of the rupee was from 26 to 32 chawals.

At the commencement of the reign of Alamgir II (1754), it came under the control of Nawab Shuja-ud-Daulah. During the 1st and 2nd year, Shuja-ud-Daulah made over the mint to his brother-in-law, Mirza Ali Khan, who farmed it to Subhao Chand. The assay of the rupee was from 24 to 32 chawals. In 1758 the mint was farmed to the agent of an eminent bankers of Banaras and the rupees were debased to 64 chawals and half a ratti in weight. Raja Balwant Singh refused to receive them into his treasury. In the 5th year (1759) the rupees were raised to their proper weight of 9 mashes, 7 rattis (or 632 chawals), but continued at the debased standard of 40 or 48 chawals. In the 6th <sup>and</sup> last year of the reign of Alamgir II (1759) the rupees were debased to 100 chawals assay (i.e. 535/630 silver and 95/630 alloy) and half a ratti in weight.

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1. Ibid.

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1. Ibid.

In 1759 Shuja-ud-Daulah appointed a person on his own part to superintend the coinage, and the rupee was restored to its former weight (9 m. 7 r.) and to 26 chawals assay. Between 1760 to 1766 the assay remained at 40 chawals. In 1767 Shuja-ud-Daulah, at the recommendation of Lord Clive, resolved to reform the coins. The Banaras mint was accordingly committed to the care of Mirza Hasan, who tried to restore the rupees to their proper weight and standard.<sup>1</sup> A Delhi rupee of the 18th year of Muhammad Shah's reign (1737) was sent as a sample for the new coinage. This rupee was 22 chawals fine, but being worn, had lost 2 chawals, in weight. The new rupees were, in consequence, 2 chawals in deficient and from that time the Banaras rupees continued at 9 m. 6 r. 6 ch. being two chawals less than the original eight of 9m. 7r. In the 9th year (1765) the mint was farmed to Monsieur Gentile, a French Agent of the Court of Shuja-ud-Daulah, and the same assay (22 chawals) was continued until the 15th year (1774). A considerable portion of the rupees issued in the 16th year (1775) contained only 5½ oz. of silver, to 10½ oz of copper.<sup>2</sup>

In the 17th year of the reign of Shah Alam II (1776) the mint was transferred by the Company to Chait Singh who engaged to coin rupees of 9 m. 6 r. 6 ch. weight and 18 chawals fine, and to continue the die of the 17th san, in

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1. Ibid., p.56.

2. Ibid.

in order to put an end to the confusion in the currency occasioned by the constant alteration of the value of the coin. "All rupees, therefore, the Records state, "coined in the Banaras mint since the 17th year of the present reign (1776), ought to be of the same weight and standard, and to pass current as sicca of the present year. The rupees current in the district of Benares may, therefore, be classed as sarwat and sikka, the former coined under the Mughal Princes, and the latter since the 17th year of the reign of Shah Alam, when the mint was ceded to the Company by the vizier, and by them transferred to Chait Singh.<sup>1</sup> The following table gives information as to the assays, weights, and names of the rupees coined at Banaras mint from its establishment to 1782.<sup>2</sup>

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1. Ibid., p.56.

2. Ibid., p.57 (Previous to the reign of Farrukhsiyar all rupees coined under the reigning King were considered as siccas and passed at their original value during his life time. But during the reign of Farrukh Siyar, the rupees of the former reign were subject to a batta and were not received into the royal treasury.

**SHAH ALAM contd.:**

[illegible]



Several types of rupees of varying value were current and used for the purpose of account in the province of Banaras. The standard Banaras rupees of account was the Banaras sicca rupees, of which 100 were in equal to 92<sup>1</sup> Calcutta sicca rupees.

In December, 1790, the rate of exchange was altered and 100 Banaras sicca rupees were declared equal to 111 rupees. Some parganas in the east of Ghazipur district were settled in the Gohar shahi rupees, of which 100 were equal to Rs. 95-8-0<sup>1</sup> Banaras sicca rupees. Others were settled in triguli<sup>3</sup> rupees (so called from the trigul or trident of Lord Mahadeo impressed upon them) of which Rs. 106-4-0<sup>2</sup> were equal to 100 Banaras sicca rupees.

It appears from the perusal of records that the intricate calculations in the rates of exchange of these several types of rupees were, after Duncan's departure, made a source of large profit to the mills, and were often used by them for the purpose of procuring the auction sale of villages for fictitious balances.

#### GOLD MOHARS

As regards the gold coinage at Banaras, it is stated that the gold was assayed there by touch on a species of the

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1. B.R.C., Dec. 1789, pp.5-6.

2. Oldham, op.cit., vol. II, p.209.

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saligram stone, worshipped by the Hindus. Upon comparing the Calcutta with the Banaras gold mohars, it was found in 1787 that the former was about Rs.2-1-6 better than latter, i.e. Rs.1-14-9 in weight and As.2-9 in assay. It was, therefore, suggested that the Banaras gold mohars should be raised to the same weight and standard as the Calcutta mohars.<sup>1</sup>

In 1793 an attempt was made to establish the gold currency. The gold mohars were declared a legal tender at Rs.16 per one gold mohar for all payments in the salaries of Government officials.<sup>2</sup>

#### COPPER COINS

The copper coins current in the city and district of Banaras previous to the establishment of mint, were mostly coined at Gorakhpur in Awadh from copper brought from the northern hills. The first coinage of pice at Banaras began in the 23rd year of the reign of Muhammad Shah (1742), when 100 maunds were struck with the die of the gicca rupees. From that period till the 4th year of the reign of Shah Alam II (1763), no pice were coined in the Banaras mint. In the 5th year (1764) the farmer of the mint purchased some English copper and coined it into pice of 10 mashas and stamped it with the die of Gorakhpur.<sup>3</sup> The number exchanged for a rupee was 45 to 48. The coinage of pice was again discontinued

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1. Calcutta Mint, p.59.

2. Oldham, op.cit.

3. Ibid., p.58.

until the 17th year (1776), when it was re-established by permission of Raja Chait Singh. The new pice were 10 m. 3r. in weight and 50 to 51 of it passed for a rupee. In 1777 some copper was brought to Banaras from Calcutta, and the coining of pice and exclusive privilege of buying and selling copper in Banaras was granted to Kashmiri Mal for Rs. 5000/-<sup>1</sup>. The weight of the coins continued to be 10m.3r. and passed in the market at about 52 to 53 per rupee. In 1778 and 1779 the coinage was declared free, and those who brought copper received price in return after paying duties. In the 21st year (1780) a revolution took place in the copper coinage. The Nawab Wazir issued orders to the officers of the Allahabad mint to reduce the weight of the pice to 9m.2r. The merchants, finding that their maund of copper yielded 3650 pice at Allahabad and only 3250 at Banaras, carried all their copper to the former place.<sup>2</sup> The coinage of pice was, consequently, at a standstill. Only 29 maunds were coined during the year.

Large quantities of the new Allahabad pice were brought by merchants to Banaras. Chait Singh first refused to authorize their currency but at length gave his consent and the Allahabad pice of 9m.3r. were declared current, and ordered to be received in payment along with old pice of 10m.3rd. The result was that the bankers continued to lower the value

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1. Ibid.

2. Ibid.

of pice. In the 22nd year (1781) Chait Singh ordered pice to be coined of same size and weight as the Allahabad pice, and this contributed greatly to overstocking the circulation.<sup>1</sup> On November 25, 1781, the control of mint was placed in the hands of Markham, the Resident at Banaras. Raja Mahip Narayan Singh was, therefore, directed to make over the entire charge of establishment to the Resident.<sup>2</sup> Pandit Amba Shankar was appointed to the post of the mint master.<sup>3</sup> The same weight (9m. 2r.) was continued, and the price of pice continued to fall and sold at thirteen for a rupee. In the 27th year (1786), the Resident at Banaras ordered that no pice should be issued from the mint under 10m. 3r. and that Gorakhpur pice, weighing 10m. to 10m. 3r. and the Banaras pice, weighing 10m. 3rd. should pass at the same value. The price immediately rose to 58 per rupee. In the 28th year (1787) when it was supposed that sufficient new pice had been coined for the city of Banaras, the Gorakhpur pice was forbidden and only the new Banaras pice stamped with a trisul (trident) and weighing from 10m. to 10m. 3r. and the Gorakhpur pice re-stamped and not under 10m. in weight were declared current.<sup>4</sup>

On May 20, 1789, Pandit Amba Shankar reported to the Resident that some times the bankers of Banaras exported their bullion and silver without paying the exportation duty to the mint and without causing the seal of the mint to be

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1. Ibid., p.59.

2. C.P.C., VI, No.312.

3. Ibid., VII, No.1343.

4. Calcutta Mint, p.59.



affixed on them. In consequence, the Government had suffered a loss. He further suggested that orders should be issued to the customs houses that they were on no account to pass any gold, silver or copper coins and thunkas which did not bear the seal of the Banaras mint excepting the current Banaras currency and a mint duty should also be imposed on them.<sup>1</sup> His proposals were accepted by the Government on October 28, 1789.<sup>2</sup>

But during the Residency of Fowke, Pandit Amba Shankar resigned and Sayed Muhammad Sher Jang was appointed in his place.<sup>3</sup>

In a letter, dated 12th of December, 1800, the Collector of Banaras suggested the desirability of appointing an European in-charge of the mint, and a coining rupees of the same standard as the Bihar sicca rupees.<sup>4</sup>

In April, 1801, a Committee was appointed to enquire into the state of the Banaras mint, and to report on the expediency of continuing it. From the Committee's report it appears that "Since the abolition of the Residency the mint had been left without the Superintendence of European official, and that the same species of gold, silver and copper coins continued to be struck as at the time when G.H. Barlow submitted his report on the mint. The Committee

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1. B.R.C., May 20, 1789, pp. 572-573.

2. Ibid., Financial Series, Oct. 28, 1789, p. 66.

3. C.P.C., VII, No. 1343.

4. Calcutta Mint, p. 59.

recommended the continuation of the mint and suggested that a connexion has always subsisted between the mint and the manufacturers of gold and silver wire and thread, and the weavers of rich cloths and embroideries made at Benares, on which the prosperity of the trade in these articles appears so much to depend that, in the event of the abolition of the mint, the manufacturers might require some similar establishment to supply its place".<sup>1</sup> After reviewing the report of the Committee, the Governor General did not deem it advisable either to abolish the mint or to alter the mode in which the coinage had been hitherto conducted but directed the formation of the committee composed of the Agent to the Governor General, the magistrate of the city and the Collector of the province of Banaras, for Superintendence and control of the mint.<sup>2</sup>

In 1806 the mint master reported that there was no regulation for the weight, size or impression of pice. Hence no restriction could be imposed on any person making them privately without any fear of detection. Most of the coins now in circulation had been coined in Awadh and Rewa. He, therefore, suggested a new copper coin with the following specifications:-<sup>3</sup>

| V a l u e    | Number of the rupee | Weight:Grains Troy | Diameter inches. |
|--------------|---------------------|--------------------|------------------|
| Double pice  | 32                  | 240                | 1½               |
| Single pice  | 64                  | 120                | 1                |
| Half pice    | 128                 | 60                 | ¾                |
| Quarter pice | 256                 | 30                 | 5/10             |

1. Ibid., pp. 63-64. 2). Ibid., p. 64. 3) Ibid., p. 67.

By Regulation X of 1809 the Calcutta mint was asked to coin pice for the province of Banaras valued at 64 for a <sup>1</sup> rupee. A regulation was also enacted for the management of the Banaras mint containing following sections:

That the silver coins of 9m. 6r. 6ch. weight and Assay upto 28 chawals fine which were current in the province of Banaras in the 28th year of the reign of Shah Alam under the denomination of the machhalidar rupees as described earlier would continue to be the established coins of the province and received in all public and private transactions of the following weight and that the Banaras rupees of the following weight and half and quarter rupees would be coined with the same standard and proportionate weight:

|                      |         |
|----------------------|---------|
| Troy grams. . . . .  | 175     |
| Pure silver. . . . . | 168.875 |
| Alloy. . . . .       | 6.125   |

That the Banaras rupees would be struck of the same size and form as the 19th san rupee struck in the mint of Calcutta and would bear the same impression as was in current use. That the half and quarter rupee would be proportionately less than the rupee, and would have the same impression as the rupee.

That the edges would be milled and the dies (to be cut in the Calcutta mint) made of the same size as the coin, so that the whole impression might appear.

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1. Bengal Regulations, I, p. 680.

That the mint master at Calcutta would cause a private mark to be put upon all the dies which were to<sup>1</sup> be prepared for the Banaras mint.

By Regulation XI of 1819 the coinage of the Banaras rupee was discontinued. The Farrukhabad currency was<sup>2</sup> considered the legal currency for the province of Banaras.

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1. Calcutta Mint, p.67.
  2. Bengal Regulations, I, p.974.

| R e i g n            | Assay         | Benares |           | Calcutta |           | R e m a r k s  |
|----------------------|---------------|---------|-----------|----------|-----------|--|
|                      |               | Weight  | M. P. ch. | Weight   | M. P. ch. |  |
| <u>MUHAMMAD SHAH</u> |               |         |           |          |           |  |
| 15th to 22nd years.  | 22            | 9 7 --  |           | 10 - -   |           |  |
| 23rd to 28th years   | --            | - - - - |           | -- - -   |           |  |
| 29th to 30th years   | 22            |         |           |          |           |  |
| <u>AHMAD SHAH</u>    |               |         |           |          |           |  |
| 1st year.            | 24            |         |           |          |           |  |
| 2nd to 4th year      | 32            |         |           |          |           |  |
| 5th year.            | 32            |         |           |          |           |  |
| 6th to 7th years     | 26            |         |           |          |           |  |
| <u>ALAMGIR II</u>    |               |         |           |          |           |  |
| 1st and 2nd years.   | 26 }<br>28 }  |         |           |          |           |  |
| 3rd year..           | 24 }<br>32 }  |         |           |          |           |  |
| 4th year.            | 64            | 9 6     |           | 9 7 4    |           | The rupees of the 4th to 6th years of Alamgir II were called <u>trisul</u> from having the <u>trisul</u> or Hindu trident stamped upon them.   |
| 5th year.            | 40 }<br>48 }  | 9 7     |           | 9 10 -   |           |  |
| 6th year             | 64 }<br>100 } | 9 6 4   |           | 9 7 4    |           |  |
| <u>SHAH ALAM</u>     |               |         |           |          |           |  |
| 1st year             | 26            | 9 7     |           | 10       |           | The rupees of the 1st to 7th years were called <u>thumka sohar shahis</u> ; <u>thumka</u> signifying small, and <u>sohar shah</u> being the name of Shah Alam previous to his accession to throne. |



## APPENDIX - B

### FAMILY DOMAINS

In accordance with the agreement of October 27, 1794 Raja Mahip Narayan Singh was to administer justice in his lagir of Bhadohi, Kera Mangraur and that part of pargana <sup>^</sup>Kasar or Gangapur inclusive of taluqa Karauna which were his family zamindari. This area was known as Family Domains

It was expressly stated in the above agreement that the administration of the Raja in his Family Domains should remain as before and that the British system was not to be introduced in it. This was done with a view to maintaining the honour and dignity of the Raja. But its administration was to be conducted by the Raja, in concert with and under the advice of the Collector and subject to an appeal direct to the Governor General in Council. This arrangement was made to bring the administration of Family Domains at par with the rest of the province. But inconveniences had been experienced from the absence of special rules for the guidance of the Raja. The system, therefore, failed to accomplish the objects intended by.

The Government deputed W. H. Bird in November, 1826, to make enquiries into the condition of the Family Domains, as a result of the complaints from the Judge of Mirzapur. Bird and the Raja drafted a regulation to remove the defect which was afterwards passed as a Regulation VII of 1828.

This Regulation framed rules for the revenue management and a detailed settlement of the Family Domains.

Under this Regulation the Commissioner of Banaras Division became the superintendent of the Family Domains and one of the civil officers stationed at Mirzapur became the Deputy Superintendent of the Family Domains. An European officer was appointed to cooperate with the Raja in making the Settlement of lands. The control vested in the Governor General was to be henceforth exercised by the Sadar Board of Revenue. An independent tribunal was established to which aggrieved persons were to apply for redress against the acts of the Raja's officials. There was also a provision for subjecting every act of the Raja and the Indian judges to the superintendence and control of the Commissioner of Revenue and Circuit. The above Regulation treated the provisional agreement of Raja Mahip Narayan Singh as final and enacted that even in the Family Domains the Rajas of Banaras became almost a cipher.

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